

**REGULAR WEEKLY SESSION-----ROANOKE CITY COUNCIL**

**December 16, 2002**

**2:00 p.m.**

The Council of the City of Roanoke met in regular session on Monday, December 16, 2002, at 2:00 p.m., the regular meeting hour, in the City Council Chamber, fourth floor, Noel C. Taylor Municipal Building, 215 Church Avenue, S. W., City of Roanoke, Virginia, with Mayor Ralph K. Smith presiding, pursuant to Chapter 2, Administration, Article II, City Council, Section 2-15, Rules of Procedure, Rule 1, Regular Meetings, Code of the City of Roanoke (1979), as amended.

**PRESENT:** Council Members William D. Bestpitch, William H. Carder, M. Rupert Cutler, Alfred T. Dowe, Jr., C. Nelson Harris, Linda F. Wyatt and Mayor Ralph K. Smith-----7.

**ABSENT:** None-----0.

**OFFICERS PRESENT:** Darlene L. Burcham, City Manager; William M. Hackworth, City Attorney; Jesse A. Hall, Director of Finance; and Mary F. Parker, City Clerk.

The meeting was opened with a prayer by The Reverend Jeffrey V. Doremus, Minister of Leadership and Family Life, First Baptist Church.

The Pledge of Allegiance to the Flag of the United States of America was led by Mayor Smith.

**PRESENTATIONS AND ACKNOWLEDGMENTS:**

**PROCLAMATIONS-RED CROSS:** The Mayor presented a proclamation declaring Tuesday, December 17, 2002, as Red Cross "Donorama" Day.

**CONSENT AGENDA**

The Mayor advised that all matters listed under the Consent Agenda were considered to be routine by the Members of Council and would be enacted by one motion in the form, or forms, listed on the Consent Agenda, and if discussion was

desired, that item would be removed from the Consent Agenda and considered separately. The Mayor called attention to two Closed Meetings to discuss vacancies on various Council Appointed committees, and performance evaluations of three Council Appointed Officers.

**MINUTES:** Minutes of the regular meeting of City Council held on Monday, October 15, 2002, recessed until Thursday, October 17, 2002, recessed until Friday, October 18, 2002, and recessed until Thursday, October 31, 2002; and the regular meeting of City Council held on Monday, November 4, 2002, and recessed until Thursday, November 7, 2002, were before the body.

Mr. Carder moved that the reading of the minutes be dispensed with and that the minutes be approved as recorded. The motion was seconded by Mr. Dowe and adopted by the following vote:

**AYES:** Council Members Bestpitch, Carder, Cutler, Dowe, Harris, Wyatt and Mayor Smith-----7.

**NAYS:** NONE-----0.

**COMMITTEES-CITY COUNCIL:** A communication from Mayor Ralph K. Smith requesting a Closed Meeting to discuss vacancies on certain authorities, boards, commissions and committees appointed by Council, pursuant to Section 2.2-3711 (A)(1), Code of Virginia (1950), as amended, was before the body.

Mr. Carder moved that Council concur in the request of the Mayor to convene in a Closed Meeting to discuss vacancies on certain authorities, boards, commissions and committees appointed by Council, pursuant to Section 2.2-3711 (A)(1), Code of Virginia (1950), as amended. The motion was seconded by Mr. Dowe and adopted by the following vote:

**AYES:** Council Members Bestpitch, Carder, Cutler, Dowe, Harris, Wyatt and Mayor Smith-----7.

**NAYS:** NONE-----0.

**COMMITTEES-CITY COUNCIL:** A communication from Vice-Mayor C. Nelson Harris, Chair, City Council Personnel Committee, requesting a Closed Meeting to discuss the performance of three Council-Appointed Officers, pursuant to Section 2.2-3711(A)(1), Code of Virginia (1950), as amended, was before the body.

Mr. Carder moved that Council concur in the request of Vice-Mayor Harris to convene in a Closed meeting to discuss the performance of three Council-Appointed Officers, pursuant to Section 2.2-3711(A)(1), Code of Virginia (1950), as amended. The motion was seconded by Mr. Dowe and adopted by the following vote:

AYES: Council Members Bestpitch, Carder, Cutler, Dowe, Harris, Wyatt and Mayor Smith-----7.

NAYS: NONE-----0.

**CITY MANAGER-WATER RESOURCES:** A communication from the City Manager requesting that Council schedule a public hearing for Tuesday, January 21, 2003, at 7:00 p.m., or as soon thereafter as the matter may be heard, with regard to an increase in water rates, was before the body.

Council Member Cutler advised that while the elected officials of Roanoke City and Roanoke County have agreed to stay out of ongoing staff level discussions on regional water authority negotiations, he would like to express his confidence in the eventual outcome of the process. He stated that he is appreciative of City staff bringing the water rate increase proposal forward because adoption of a water rate increase will help to lay the groundwork for the regional water authority. Specifically, he added that the proposed water rate increase will help fund additional water projects, and lead to development of additional water resources and construction of additional water line interconnections with Roanoke County. He stated that with adoption of the proposal, Council will be expressing its confidence that the right path is a water authority, in partnership with Roanoke County. He added that a Regional Water Authority will come with a price tag, and the responsible course of action is to raise water rates just enough to cover costs to ensure that the City of Roanoke does not find itself facing another water shortage.

Mr. Carder moved that Council concur in the request of the City Manager to hold a public hearing on increasing water rates. The motion was seconded by Mr. Dowe and adopted by the following vote:

AYES: Council Members Bestpitch, Carder, Cutler, Dowe, Harris, Wyatt and Mayor Smith-----7.

NAYS: NONE-----0.

**OATHS OF OFFICE-TRAFFIC-COMMITTEES-ROANOKE CIVIC CENTER-ROANOKE VALLEY RESOURCE AUTHORITY-TRANSPORTATION SAFETY: The following reports of qualification were before Council:**

**Monica S. Prince as a member of the Roanoke Civic Center Commission, for a term ending September 30, 2005;**

**David Fifer as a member of the City of Roanoke Transportation Safety Commission, for a term ending October 31, 2004; and**

**Robert K. Bengtson as a member of the Board of Directors, Roanoke Valley Resource Authority, for a term ending December 31, 2006.**

**Mr. Carder moved that the reports of qualification be received and filed. The motion was seconded by Mr. Dowe and adopted by the following vote:**

**AYES: Council Members Bestpitch, Carder, Cutler, Dowe, Harris, Wyatt and Mayor Smith-----7.**

**NAYS: NONE-----0.**

**REGULAR AGENDA**

**PUBLIC HEARINGS: NONE.**

**PETITIONS AND COMMUNICATIONS:**

**BUDGET-COMMONWEALTH’S ATTORNEY-GRANTS: A communication from Donald S. Caldwell, Commonwealth's Attorney, advising that the Department of Criminal Justice Services has awarded the City of Roanoke a Virginia Exile Grant for calendar years 2002 and 2003, in the amount of \$156,613.00; associated with the grant, the City appropriated a required match in the amount of \$17,401.00; and the local match equaled ten per cent of total available funding of \$174,014.00, was before Council.**

**It was further advised that during the 2002 General Assembly, the budget was restructured to provide that the two year grant was terminated on June 30, 2002, after only six months of funding, and a one fiscal year grant was approved in the**

amount of \$58,177.00 which did not require a local match; however, due to further budget restructuring, the grant is also being terminated effective December 31, 2002, allowing only one half of the original State grant funding totaling \$29,089.00; and the grant has not yet been accepted by Council, nor appropriated in the Grant Fund.

It was explained that continued funding of the Exile Grant will allow the continued utilization of a prosecutor to focus on convicted felons who possess weapons and drugs and weapons on school property; and the program has had great success during its existence and should be continued while the State is willing to provide the majority of funding.

The Commonwealth's Attorney recommended that Council amend the CY2002-2003 Exile Grant previously approved by decreasing State funding from \$156,613.00 to \$33,818.00 and local funding from \$17,401.00 to \$3,758.00, which adjusts the grant funding to an amount equal the total expenditures incurred by the City through June 30, 2002, related to the Exile Grant; funding is allocated between the State and the City at the same ratio initially authorized, 90 per cent and ten per cent respectively; therefore, the unused local match of \$13,643.00 may be transferred back to the General Fund and may be used in the General Fund to decrease the current year Transfer to Grant Fund and increase the City Manager's Contingency.

It was further recommended that Council accept 2003 State funding of the Exile Grant, in the amount of \$29,089.00, to be appropriated to revenue and expenditure.

A communication from the City Manager concurring in the recommendation of the Commonwealth's Attorney, was also before Council.

Mr. Dowe offered the following budget ordinance:

(#36154-121602) AN ORDINANCE to amend and reordain certain sections of the 2002-2003 General and Grant Fund Appropriations, and dispensing with the second reading by title of this ordinance.

(For full text of Ordinance, see Ordinance Book No. 67, page 2.)

Mr. Dowe moved the adoption of Ordinance No. 36154-121602. The motion was seconded by Mr. Carder and adopted by the following vote:

AYES: Council Members Bestpitch, Carder, Cutler, Dowe, Harris, Wyatt and Mayor Smith-----7.

NAYS: None-----0.

**Mr. Carder offered the following resolution:**

**(#36155-121602) A RESOLUTION amending the previously approved 2002-2003 Exile Grant (02-C3527PX02) and accepting the 2003 Virginia Exile Grant offer (03-D3527PX03) made to the City by the Department of Criminal Justice Services and authorizing execution of any required documentation on behalf of the City.**

**(For full text of Resolution, see Resolution Book No. 67, page 4.)**

**Mr. Carder moved the adoption of Resolution No. 36155-121602. The motion was seconded by Mr. Dowe and adopted by the following vote:**

**AYES: Council Members Bestpitch, Carder, Cutler, Dowe, Harris, Wyatt and Mayor Smith-----7.**

**NAYS: None-----0.**

**COMMITTEES-BLUE RIDGE COMMUNITY SERVICES: Robert Williams, Member, Board of Directors, Blue Ridge Behavioral Healthcare, presented a report on services provided by Blue Ridge Behavioral Healthcare during the past fiscal year. He advised that in fiscal year 2002, staff of the organization delivered over 300,000 units of service to over 10,000 Roanoke City residents, at a calculated value of \$12 million; the City's local tax contributions to the agency's operation was approximately \$400,000.00, which means that Roanoke received approximately \$31.00 worth of service for each tax dollar allocated to the community service board, or an increase of over \$2 per tax dollar over last year. He stated that the Child and Family Services division moved its operation to the corner of Liberty and Williamson Roads, which has provided improved access, and Blue Ridge Behavioral Healthcare has taken over operation of the Burrell Nursing Center and is currently in the process of space and program planning and development of a renovation design that will respect the architecture and legacy of the historic structure; and the Shenandoah Recovery Center admitted 163 City residents who met the criteria for temporary detention orders and/or civil commitment orders.**

**He advised that one of the main goals of Blue Ridge Behavioral Healthcare is to keep down admissions to State hospitals so that patients may be treated on the local level and returned to the community; a full-time child and adolescent psychiatrist was been added to the staff to provide medical support to children with behavioral health disorders, and the psychiatric system program has served more than 834 City of Roanoke clients this year, with a treatment program at Highland**

Park and Lincoln Terrace Elementary Schools, The Roanoke Academy for Mathematics and Science, and Addison Aerospace Middle School. He noted that the Adult Resources Management Program and Mental Health and Mental Retardation, along with the assisted living facilities program, serve 767 adults in Roanoke City; and a contractual agreement with KUUMBA Community Health and Wellness Center has provided 52 City residents with mental health, and substance abuse counseling and 103 City residents with case management services. He called attention to statements by the Governor that a major reconfiguration of the public system of care for the mentally disabled is in the works, and the Roanoke area has been working with senior staff in the Department of Mental Health, Mental Retardation and Substance Abuse in Richmond on a restructured process, with the goal of bringing staff from State hospitals into the community to help localities offset any loss of funds, which is hoped to bring a positive change in the system of mental health care, both statewide and locally, in the near future.

Mr. Williams stated that Blue Ridge Behavioral Healthcare is experiencing an increased demand for its services, while at the same time, it is experiencing significant funding cuts and the organization will do everything within its power to minimize the impact on the citizens of Roanoke. He advised that when Blue Ridge Behavioral Healthcare submits its funding request for fiscal year 2004, it will be with the full recognition that Virginia's budget cuts have affected all citizens and organizations, and trusts that the City of Roanoke will continue to provide financial support to the best of its ability. By the same token, he stated that Blue Ridge Behavioral Healthcare pledges to provide the best of services that can be provided to those citizens who need to be served.

Council Member Wyatt inquired about the impact of the Olmstead Act on the City of Roanoke; whereupon, S. James Sikkema, Executive Director, advised that a major task force is addressing Olmstead planning for the Commonwealth of Virginia; however, at this point there is a broad base of representation, not only from persons experiencing mental disabilities, but physical disabilities as well. He stated that plans are being developed, all stakeholders are at the table, and the task force is defining the scope in which Virginia will address the Olmstead Act, the Federal responsibility that the Act entails, and additional reports will be forthcoming in February/March, 2003.

Council Member Bestpitch addressed deinstitutionalization and advised that it appears that each time there is another restructuring, there is more responsibility at the local level without sufficient additional resources to meet the responsibilities. He expressed concern that persons from a local community, who are committed to

State hospitals, are admitted without cost to the localities; however, it would seem that localities would be better served if more of those dollars were distributed among the localities to provide services on a local level, and then if a person has to be sent to a State hospital, some of the dollars would go with that individual. He inquired if the State is giving consideration to that concept.

Mr. Sikkema responded that the Governor has allowed the Roanoke department to develop a reinvestment plan which identifies resources in the institution to reinvest in the community, and the proposal Blue Ridge Behavioral Healthcare has developed is intended to blend resources and to develop a single continuum of care.

Without objection by Council, the Mayor advised that the annual report would be received and filed.

**POLICE DEPARTMENT-FIRE DEPARTMENT:** Robert L. Humphreys, Vice-Chair, Roanoke Arts Commission and liaison from the Arts Commission to the Roanoke Firefighters Memorial Committee, appeared before Council on behalf of the Roanoke Firefighters Association. He presented a token of appreciation to Council for funding the Roanoke Fallen Firefighters Memorial, which is a bronze casting of the original design by Ms. Betty Branch and is one of an edition of ten that the Roanoke Firefighters Association commissioned Ms. Branch to create at the time she designed the larger fallen firefighter sculpture.

**REPORTS OF OFFICERS:**

**CITY MANAGER:**

**BRIEFINGS: NONE.**

**ITEMS RECOMMENDED FOR ACTION:**

**BUDGET-ROANOKE PASSENGER STATION RENOVATION PROJECT-TEA-21:** The City Manager submitted a communication advising that the Western Virginia Foundation for the Arts and Sciences (WVFAS) received notification in July, 2002 that its application for Transportation Enhancement funds through the Transportation Equity Act for the 21<sup>st</sup> Century (TEA-21) for the Roanoke Passenger Station Renovation Project was approved, in the amount of \$500,000.00, which is in addition to the \$488,000.00 in Enhancement funds approved in 2001, bringing the total to \$988,000.00; and other State-provided funding of \$500,000.00 has been



committed to the project which currently totals approximately \$1.9 million, considering both State and local funding; the City of Roanoke must enter into separate supplemental agreements with the WVFAS and the Virginia Department of Transportation (VDOT), which define the responsibilities of each party; authority for the VDOT agreement was previously authorized by action of Council on January 22, 2002, pursuant to Resolution No. 35734-012202; authorization for the WVFAS agreement is needed from Council; the WVFAS would be responsible for the match requirement of \$125,000.00; and the \$500,000.00 of TEA-21 Enhancement funds need to be appropriated (to be reimbursed by VDOT) to Project Account No. 008-530-9900-9007 for disbursement to the Western Virginia Foundation for the Arts and Sciences.

The City Manager recommended that she be authorized to execute all necessary and appropriate agreements with the Western Virginia Foundation for the Arts and Sciences, in such form as is approved by the City Attorney; that Council appropriate \$500,000.00 of TEA-21 Enhancement funds (to be reimbursed by VDOT) to Project Account No. 008-530-9900-9007 for disbursement to the WVFAS; and establish a revenue estimate of the same for State reimbursement through the TEA-21 program.

Mr. Carder offered the following budget ordinance:

(#36156-121602) AN ORDINANCE to amend and reordain certain sections of the 2002-2003 Capital Projects Fund Appropriations, and dispensing with the second reading by title of this ordinance.

(For full text of Ordinance, see Ordinance Book No. 67, page 5.)

Mr. Carder moved the adoption of Ordinance No. 36156-121602. The motion was seconded by Mr. Dowe and adopted by the following vote:

AYES: Council Members Bestpitch, Carder, Cutler, Dowe, Harris, and Mayor Smith-----6.

NAYS: None-----0.

(Council Member Wyatt was out of the Council Chamber when the vote was recorded.)

Mr. Carder offered the following ordinance:

**(#36157-121602) AN ORDINANCE authorizing the City Manager to enter into an Agreement between the City of Roanoke and the Western Virginia Foundation for the Arts and Sciences (“WVFAS”), and dispensing with the second reading of this ordinance by title.**

**(For full text of Ordinance, see Ordinance Book No. 67, page 6.)**

**Mr. Carder moved the adoption of Ordinance No. 36157-121602. The motion was seconded by Mr. Dowe and adopted by the following vote:**

**AYES: Council Members Bestpitch, Carder, Cutler, Dowe, Harris, and Mayor Smith-----6.**

**NAYS: None-----0.**

**(Council Member Wyatt was out of the Council Chamber when the vote was recorded.)**

**CITY CODE-PROCUREMENT CODE: The City Manager submitted a communication advising that certain sections of the Virginia Public Procurement Act (VPPA) apply to all localities; other sections may be replaced by a local alternative; and in 1982, the City of Roanoke adopted Chapter 23.1 Procurement, as a local alternative.**

**It was further advised that a proposed ordinance repeals Chapter 23.1, Procurement and replaces the chapter with a new chapter, Chapter 23.2, Procurement, which fully implements the Virginia Public Procurement Act; Chapter 23.2 will apply to all Council-Appointed Officers, Constitutional Officers, divisions, departments, offices, boards, agencies, and commissions of the City, except the School Board which has its own procurement policy; Chapter 23.2 establishes the City Manager’s authority to execute contracts, promulgate procedures, and determine the method of procurement; where required, the new chapter supplements the VPPA; for example, the VPPA allows a debarment procedure, but only if adopted by local ordinance.**

**It was explained that adopting Chapter 23.2 has several advantages which will further Council’s goal to streamline its agenda process:**

**Council will delegate to the administration the authority to decide whether competitive sealed bidding or competitive negotiation is the appropriate form for various procurements. There were nine such reports in the past year.**

**Council will delegate the authority to the City Manager to accept or reject bids/proposals for procurements. There were 55 reports accepting bids/proposals last fiscal year and five reports rejecting bids/proposals over \$75,000.00 in the past 12 months.**

**A local procurement manual based on well established State procedures can be implemented.**

**It was further explained that the risk of error by Purchasing staff will be reduced by having a single source for law and procedures instead of dealing with a City Code and State Code that may conflict.**

**The City Manager advised that Council must be kept informed; the Purchasing Division posts all solicitations and awards over \$30,000.00 to the Purchasing web page on [roanokegov.com](http://roanokegov.com); and by adding bid tabulations to the awards section and extending the time each award is posted, Council will have the opportunity to review major procurements.**

**The City Manager recommended that Council adopt an ordinance amending the Code of the City of Roanoke (1979), as amended, by repealing Chapter 23.1 Procurement, and adopting a new Chapter 23.2 Procurement, in order to revise and update the City's regulations pertaining to procurement and to conform such regulations to State law.**

**Mr. Carder offered the following ordinance:**

**(#36158-121602) AN ORDINANCE amending the Code of the City of Roanoke (1979), as amended, by repealing Chapter 23.1, Procurement, and adopting a new Chapter 23.2, Procurement, in order to revise and update the City's regulations pertaining to procurement and to conform them to State law; and dispensing with the second reading by title of this ordinance.**

**(For full text of Ordinance, see Ordinance Book No. 67, page 7.)**

**Mr. Carder moved the adoption of Ordinance No. 36158-121602. The motion was seconded by Mr. Cutler and adopted by the following vote:**

**AYES: Council Members Bestpitch, Carder, Cutler, Dowe, Harris, and Mayor Smith-----6.**

**NAYS: None-----0.**

**(Council Member Wyatt was out of the Council Chamber when the vote was recorded.)**

**CITY MARKET-BUDGET-CITY PROPERTY:** The City Manager submitted a communication advising that on December 31, 2002, the current lease agreement with Downtown Associates for the Market Building will expire; and as the City prepares to assume operation of the building on January 1, 2003, a budget must be adopted and appropriate revenue and expenditure accounts established, which will enable the City to continue operation of the facility until the end of the fiscal year when a complete budget will be drafted and adopted for next fiscal year.

It was further advised that Spectrum Design completed a Conditions Assessment Study of the Roanoke City Market Building on October 2, 2002, and identified numerous deficiencies and other needed repairs to enhance usability of the facility totaling \$293,975.00; and a list of budget accounts totalling \$140,000.00 for monthly rental deposits and monthly expenditures associated with operation of the Market Building must be established prior to January 1, 2003, when the first rent payments are due to be mailed to the City.

It was noted that total repairs currently needed to address the most critical concerns are estimated to cost \$295,000.00, which amount only begins to address the many repairs that are needed; and funds can be appropriated from Capital Projects Fund Account No. 008-052-9575-9173.

The City Manager recommended that Council authorize the Director of Finance to establish a new fund, the Market Building Operations Fund, and adopt the proposed operating budget; and further authorize appropriation of \$295,000.00 from Account No. 008-052-9575-9173 to a capital account to be established by the Director of Finance in the Market Building Operations Fund for repairs to the Market Building.

**Mr. Carder offered the following budget ordinance:**

**(#36159-121602) AN ORDINANCE to amend and reordain certain sections of the 2002-2003 Capital Projects Fund Appropriations, and dispensing with the second reading by title of this ordinance.**

**(For full text of Ordinance, see Ordinance Book No. 67, page 9.)**

**Mr. Carder moved the adoption of Ordinance No. 36159-121602. The motion was seconded by Mr. Dowe.**

**Council Member Cutler inquired if there are long term plans to address the City Market Building and how do the repairs rank in the City's capital projects plan. The City Manager responded that a significant and identified need is replacement of the heating and air conditioning system, which ranges from approximately \$600,000.00 - \$900,000.00, staff is investigating the possibility of a mutual arrangement with the Art Museum and Center in the Square, but for the upcoming summer season, it is intended to use temporary air conditioning to facilitate operation of the building. She called attention to certain other long term repairs that are needed over the next three to five years, some of which will be deferred pending receipt of a comprehensive plan for use or re-use of the second and third floors of the building. She explained that the \$95,000.00 is sufficient to meet all of the immediate needs for a one to two year period, and a three to five year plan will be submitted following a study related to the best use of the additional floors.**

**Ordinance No. 36159-121602 was adopted by the following vote:**

**AYES: Council Members Bestpitch, Carder, Cutler, Dowe, Harris, Wyatt and Mayor Smith-----7.**

**NAYS: None-----0.**

**Mr. Dowe offered the following ordinance:**

**(#36160-121602) AN ORDINANCE establishing the Market Building Fund effective January 1, 2003 and adopting the annual Market Building Fund Appropriation of the City of Roanoke for fiscal year 2003 for the period beginning January 1, 2003, and ending June 30, 2003; and dispensing with the second reading by title of this ordinance.**

**(For full text of Ordinance, see Ordinance Book No. 67, page 10.)**

**Mr. Dowe moved the adoption of Ordinance No. 36160-121602. The motion was seconded by Mr. Harris and adopted by the following vote:**

**AYES: Council Members Bestpitch, Carder, Cutler, Dowe, Harris, Wyatt and Mayor Smith-----7.**

**NAYS: None-----0.**

**BUDGET-PARKS AND RECREATION:** The City Manager submitted a communication advising that in 1999, the City of Roanoke issued general obligation bonds to finance various capital improvement projects; among the projects were repairs and improvements to the parks system; and in August 2000, \$3,688,369.00 of bond funds were appropriated to 12 different capital accounts, with each account dealing with a different category of park improvement or repair.

It was further advised that among the 12 capital accounts, one was established for Athletic Field Lighting and Improvements, while another was established for Comfort Station Replacement; all projects originally identified for Account No. 008-620-9738 have been completed, with funds remaining in the account; Account No. 008-620-9742 lacks sufficient funding, as prices for replacement of the five restrooms are greater than originally anticipated; and unused funds from Account No. 008-620-9738 may be transferred to Account No. 008-620-9742 so that the five restroom replacements may be completed.

The City Manager recommended that Council approve the transfer of \$143,126.00 from Account No. 008-620-9738 to Capital Account No. 008-620-9742.

Mr. Dowe offered the following budget ordinance:

(#36161-121602) AN ORDINANCE to amend and reordain certain sections of the 2002-2003 Capital Projects Fund Appropriations, and dispensing with the second reading by title of this ordinance.

(For full text of Ordinance, see Ordinance Book No. 67, page 11.)

Mr. Dowe moved the adoption of Ordinance No. 36161-121602. The motion was seconded by Mr. Carder and adopted by the following vote:

AYES: Council Members Bestpitch, Carder, Cutler, Dowe, Harris, Wyatt and Mayor Smith-----7.

NAYS: None-----0.

**SEWERS AND STORM DRAINS-BUDGET-WATER RESOURCES:** The City Manager submitted a communication advising that drainage problems have existed for many years along Summit Drive within the Edgewood-Morwanda Summit Hills neighborhood; problems have included some flooding of residences along Summit Drive; and the project received a high priority rating, and funding was established in the 1997 Bond Referendum.

It was further advised that Phase I, completed last year, installed storm drain and curbing eastward along Summit Drive from the intersection with Glenn Ridge Road to the cul-de-sac; Phase II continues installation of storm pipe and curbing westward from Glenn Ridge Road to the western end of Summit Drive; and following advertisement for and receipt of eight bids, S.C. Rossi & Co., Inc., submitted the low bid, in the amount of \$158,000.00, with construction time of 180 consecutive calendar days, beginning in early February 2003.

It was explained that funding in the amount of \$181,700.00 is needed for the project; additional funds that exceed the contract amount will be used for miscellaneous project expenses, including advertising, printing and unforeseen project expenses; and funding is available from Public Improvement Bonds – Series 1999, Account No. 008-052-9709-9176.

The City Manager recommended that Council accept the bid of S.C. Rossi & Co., Inc., in the amount of \$158,000.00, with 180 consecutive calendar days to construct the project; reject all other bids received by the City; and transfer \$181,700.00 from Public Improvement Bond Series 1999, Account No. 008-052-9709-9176, to an account to be established by the Director of Finance entitled, Summit Hills Storm Drain Project – Phase II.

Mr. Carder offered the following budget ordinance:

(#36162-121602) AN ORDINANCE to amend and reordain certain sections of the 2002-2003 Capital Projects Fund Appropriations, and dispensing with the second reading by title of this ordinance.

(For full text of Ordinance, see Ordinance Book No. 67, page 12.)

Mr. Carder moved the adoption of Ordinance No. 36162-121602. The motion was seconded by Mr. Dowe and adopted by the following vote:

AYES: Council Members Bestpitch, Carder, Cutler, Dowe, Harris, Wyatt and Mayor Smith-----7.

NAYS: None-----0.

Mr. Carder offered the following ordinance:

(#36163-121602) AN ORDINANCE accepting the bid of S. C. Rossi & Company, Inc., for installation of storm pipe and curbing westward from Glenn Ridge Road to the western end of Summit Drive, upon certain terms and conditions and awarding

a contract therefor; authorizing the proper City officials to execute the requisite contract for such work; rejecting all other bids made to the City for the work; and dispensing with the second reading by title of this ordinance.

(For full text of Ordinance, see Ordinance Book No. 67, page 13.)

Mr. Carder moved the adoption of Ordinance No. 36163-121602. The motion was seconded by Mr. Dowe and adopted by the following vote:

AYES: Council Members Bestpitch, Carder, Cutler, Dowe, Harris, Wyatt and Mayor Smith-----7.

NAYS: None-----0.

**SIDEWALK/CURB AND GUTTER-BUDGET-STREETS AND ALLEYS:** The City Manager submitted a communication advising that Council was recently briefed on the categories toward which curb and sidewalk projects are being focused using the \$5 million in bond funds generated for this purpose; new construction of curbs and sidewalks based upon neighborhood plans and their priorities was one such category; Old Southwest is one of the first such neighborhoods for which the funds have been identified, and the project consists of installing approximately 7,000 square feet of sidewalk, 6,760 linear feet of curb and 2,500 square feet of entrances on various streets within the Old Southwest section of the City.

It was further advised that following advertisement, three bids were received with S. C. Rossi & Co., Inc., submitting the low bid, in the amount of \$203,065.00, and construction time of 240 consecutive calendar days.

It was explained that funding, in the amount of \$223,370.00, is needed for the project; additional funds that exceed the contract amount will be used for miscellaneous project expenses, including advertising, prints, test services, minor variations in bid quantities and unforeseen project expenses; and funding in the amount of \$223,370.00 is available in Public Improvement Bonds - Series 2002, Streets and Sidewalks, Account No. 008-530-9711-9195.

The City Manager recommended that Council accept the bid of S. C. Rossi & Co., Inc., in the amount of \$203,065.00, with 240 consecutive calendar days, for completion of the work; reject all other bids received by the City; and transfer \$223,370.00 from Public Improvement Bonds - Series 2002, Account No. 008-530-9711-9195, to an account to be established by the Director of Finance entitled, Curb, Gutter and Sidewalk, Phase VII.



**Mr. Carder offered the following budget ordinance:**

**(#36164-121602) AN ORDINANCE to amend and reordain certain sections of the 2002-2003 Capital Projects Fund Appropriations, and dispensing with the second reading by title of this ordinance.**

**(For full text of Ordinance, see Ordinance Book No. 67, page 14.)**

**Mr. Carder moved the adoption of Ordinance No. 36164-121602. The motion was seconded by Mr. Cutler and adopted by the following vote:**

**AYES: Council Members Bestpitch, Carder, Cutler, Dowe, Harris, Wyatt and Mayor Smith-----7.**

**NAYS: None-----0.**

**Mr. Carder offered the following ordinance:**

**(#36165-121602) AN ORDINANCE accepting the bid of S. C. Rossi & Company, Inc., for installing approximately 7,000 square feet of sidewalk, 6,760 linear feet of curb and 2,500 square feet of entrances on various streets within the Old Southwest section of the City, upon certain terms and conditions and awarding a contract therefor; authorizing the proper City officials to execute the requisite contract for such work; rejecting all other bids made to the City for the work; and dispensing with the second reading by title of this ordinance.**

**(For full text of Ordinance, see Ordinance Book No. 67, page 15.)**

**Mr. Carder moved the adoption of Ordinance No. 36165-121602. The motion was seconded by Mr. Dowe and adopted by the following vote:**

**AYES: Council Members Bestpitch, Carder, Cutler, Dowe, Harris, Wyatt and Mayor Smith-----7.**

**NAYS: None-----0.**

**HUMAN DEVELOPMENT: The City Manager submitted a communication advising that the Comprehensive Services Act was legislated by the Commonwealth of Virginia in 1992, and was designed to create a collaborative system of services and funding for troubled and at-risk children; and the Act covers children who are in foster care, who have special education needs, children appointed by the courts for certain services, and children with emotional or behavioral problems that require extensive services beyond the capacity of one agency.**

**It was further advised that each locality is responsible for funding a share of the costs of services provided under the Comprehensive Services Act; the proportion was initially set based upon historic spending on similar services prior to enactment of the Act; the City of Roanoke is currently responsible for approximately 31 per cent of the expenses incurred under the Act; and localities can apply for and receive supplemental allocations from the State when service costs exceed those budgeted, however, localities must cover their proportion of additional costs.**

**It was stated that in 1998, due to continuing escalation in costs for services, the State issued additional guidelines requiring localities to adopt a utilization management program which requires cases to be reviewed individually and collectively to evaluate quality of services and cost savings opportunities; and localities may contract with utilization management services, follow a State model, or design their own model to meet State guidelines.**

**It was further stated that the case management process is paper intensive and time consuming; many forms for case management are completed on a weekly, monthly, quarterly, or annual basis, depending on the severity of the case; forms are hand written, which requires the caseworker to rewrite the entire form each time; case files for long-term cases become very thick and difficult to manage; and compiling, searching, and analyzing data from individual cases or cases collectively is much more difficult, and in some cases, impossible when data is handwritten rather than in electronic format.**

**It was advised that among those recommendations made by the Municipal Auditor's Office was that an application software system be implemented for case management, fiscal management, and utilization management; a system that integrates the service and fiscal data for all cases is necessary before effective utilization management can be undertaken; and such a system would significantly improve the documentation process for case workers and capture case data in an electronic format that can be easily managed, searched, and analyzed; based on research completed by the Department of Social Services, systems are available and have been successfully implemented in other localities; and the Department of Social Services should seek technical support from the City's Department of Technology in order to develop a recommendation for the Interagency Council to consider.**

It was noted that staff of the City's Social Services, Purchasing and Technology departments researched potential software solutions to effectively support CSA requirements; it has been determined that HarmonyIS is the sole source for the application software, and was determined to be the sole source vendor of CSA software by Hanover, Henrico and Fairfax Counties; the City developed a requirements document that encompassed the functional requirements from Social Services Administration, Family Assessment and Planning Teams, City of Roanoke Schools, as well as technical requirements per the Department of Technology standards; HarmonyIS responded to the requirements document and was determined to be able to provide the CSA applications software that would enable the City to effectively manage its CSA case load, in the amount of \$125,718.75; and funds have been appropriated in Account No. 013-430-9853-9015.

The City Manager recommended that she be authorized to enter into a contract with Harmony Information Systems, Inc., of Alexandria, Virginia, such contract to be approved as to form by the City Attorney, in the amount of \$125,718.75; and funding for the project is available in Account No. 013-430-9853-9015.

Mr. Cutler offered the following resolution:

(#36166-121602) A RESOLUTION authorizing a contract with Harmony Information Systems, Inc. of Alexandria, Virginia, for software and services in connection with the Comprehensive Services Act ("CSA"), and concurring with the determination of the Director of General Services that such firm is the only source practicably available to perform such work.

(For full text of Resolution, see Resolution Book No. 67, page 17.)

Mr. Cutler moved the adoption of Resolution No. 36166-121602. The motion was seconded by Mr. Carder and adopted by the following vote:

AYES: Council Members Bestpitch, Carder, Cutler, Dowe, Harris, Wyatt and Mayor Smith-----7.

NAYS: None-----0.

HOUSING/AUTHORITY-COMMUNITY PLANNING-ZONING: The City Manager submitted a communication advising that on August 12, 1985, the Board of Commissioners of the Roanoke Redevelopment and Housing Authority ("RRHA") approved the Redevelopment Plan for the Shaffer's Crossing Community

**Development Project dated July 1985, as amended by Amendment No. 1 dated March 1988, and on August 26, 1985, Council approved and adopted the Plan; as part of the Plan, approximately 18 parcels of land were acquired and disposed to desirous owners within seven years of the Plan being approved; five lots were designated not to be acquired and two lots met land use standards, therefore, property owners were not approached for acquisition purposes; in order to complete the Plan, 22 lots were identified as lots to be acquired and disposed of in the area; and an estimate of \$1,237,000.00 is required to complete property acquisition and disposition in the redevelopment area.**

**It was further advised that the RRHA has undertaken and completed a thorough and extensive review of the Plan, including Plan objectives, actions taken, and results accomplished pursuant to terms of the Plan, including acquisition and disposition of real property pursuant to the Plan; the RRHA has determined that continued existence of the Plan is no longer necessary and property owners within the boundaries of the Plan will not be adversely affected by termination of the Plan.**

**It was explained that on June 10, 2002, the Board of Commissioners of the Roanoke Redevelopment and Housing Authority adopted a resolution terminating the Redevelopment Plan for the Shaffer's Crossing Community Development Project and recommended that Council consider and approve such action; and the RRHA has given appropriate Notice of Termination of the Plan to all land owners within Plan boundaries and no objections to Plan termination have been expressed.**

**The City Manager recommended that Council approve deletion of the portion of the July 19, 1985, Redevelopment Plan, as amended, in regard to the Shaffer's Crossing Community Development Project.**

**Mr. Carder offered the following resolution:**

**(#36167-121602) A RESOLUTION concurring in the deletion of the portion of the July 19, 1985, Redevelopment Plan, as amended, pertaining to Shaffer's Crossing Community Development Project.**

**(For full text of Resolution, see Resolution Book No. 67, page 18.)**

**Mr. Carder moved the adoption of Resolution No. 36167-121602. The motion was seconded by Mr. Dowe.**

Ms. Lourice Thomas, 4053 Clairmont Drive, S. W., addressed Council in connection with property that she owns in the Shaffers Crossing Redevelopment area. She stated that she was advised, through her attorney, that City staff previously indicated that it would be pointless to file a rezoning petition for C-2 inasmuch as the total area is designated Light Manufacturing District in a long range plan, and in view of the fact that the parcel of land contains less than two acres. If the Shaffers Crossing project is resolved, she suggested that the City consider reinstating previous zoning in which C-2 Commercial would be allowed in a Light Manufacturing District.

Following discussion, Resolution No. 36167-121602 was adopted by the following vote:

AYES: Council Members Bestpitch, Carder, Cutler, Dowe, Harris, Wyatt and Mayor Smith-----7.

NAYS: None-----0.

It was the consensus of Council that the concerns of Ms. Thomas would be referred to the City Manager for report.

**COMMUNITY PLANNING-STREETS AND ALLEYS-HOUSING/AUTHORITY:** The City Manager submitted a communication advising that the City currently owns a 29.2 acre tract of land located at the edge of the City limits on Colonial Avenue, S. W., adjacent to Carilion Medical Center; on October 20, 2002, the City advertised a Request For Proposal entitled, "Colonial Avenue Development project" requesting proposals for development of an upscale, mixed-use community; and in response to the request, two proposals were received, one of which was submitted after the deadline and the other proposal was not responsive inasmuch as it failed to provide all required information.

It was further advised that according to the Comprehensive Plan, Vision 2001-2020, the City will have a balanced, sustainable range of housing choices in all price ranges and design options throughout the City that encourage social and economic diversity; and neighborhoods will function as villages, offering opportunities to live, work, shop, play and interact in a neighborhood setting.

It was explained that analysis of the site revealed that the property is ideal for development of an upscale, "traditional neighborhood development" that includes residential single-family, multi-family, retail and live/work space; and the City expects the project to reflect state of the art construction methods for apartments, town homes and single-family houses, while providing alternative residential options within the context of the Comprehensive Plan.

The City Manager recommended that Council reject all proposals and that she be authorized to revise and re-advertise the project in an effort to secure a development team to develop a first-class, mixed-use community.

Mr. Carder offered the following resolution:

(#36168-121602) A RESOLUTION rejecting all proposals received in response to the Request for Proposals for the development for an upscale, mixed-use community for a 29.2 acre tract of land situated at the edge of the city limits on Colonial Avenue and adjacent to the Carilion Medical Center.

(For full text of Resolution, see Resolution Book No. 67, page 19.)

Mr. Carder moved the adoption of Resolution No. 36168-121602. The motion was seconded by Mr. Dowe and adopted by the following vote:

AYES: Council Members Bestpitch, Carder, Cutler, Dowe, Harris, Wyatt and Mayor Smith-----7.

NAYS: None-----0.

**PARKS AND RECREATION-DONATIONS/CONTRIBUTIONS-ACTS OF ACKNOWLEDGEMENT:** The City Manager submitted a communication advising that the LifeNet Donor Memorial Foundation Inc., (LifeNet) of Roanoke Virginia, an organ donation resource entity, contacted the Department of Parks and Recreation with the proposal to sponsor a small portion of the Roanoke River Greenway located along Wiley Drive; and the proposal is to establish an enhanced recreational experience area for greenway users that would include a soft, sustainable landscape design consistent with both Roanoke's Vision 2020 and the Parks and Recreation Master Plan.

It was further advised that the Department of Parks and Recreation has examined the proposal to provide funding for amenities, landscaping, and signs for an area approximately 200'X18' along the renovated section of the Roanoke River Greenway through Wiley Drive, located between the Franklin Road underpass and terminus of the greenway section at Wiley Drive; in reviewing the proposed partnership with LifeNet, Parks and Recreation included both initial costs for materials, as well as on-going maintenance costs required to address improvements to the site for a ten-year period; and LifeNet proposes to provide the City with a one-time donation of \$5,000.00 to subsidize the City's expenses for site amenities and maintenance costs.

The City Manager recommended that she be authorized to execute a contract on behalf of the City of Roanoke and accept the \$5,000.00 donation from the LifeNet Donor Memorial Foundation, Inc.; and that Council appropriate \$5,000.00 to Parks and Recreation, Account No. 001-620-4340-3011, to offset project expenditures and establish a revenue estimate in the same amount.

Mr. Carder offered the following budget ordinance:

(#36169-121602) AN ORDINANCE to amend and reordain certain sections of the 2002-2003 General Fund Appropriations, and dispensing with the second reading by title of this ordinance.

(For full text of Ordinance, see Ordinance Book No. 67, page 20.)

Mr. Carder moved the adoption of Ordinance No. 36169-121602. The motion was seconded by Mr. Cutler and adopted by the following vote:

AYES: Council Members Bestpitch, Carder, Cutler, Dowe, Harris, Wyatt and Mayor Smith-----7.

NAYS: None-----0.

Mr. Carder offered the following ordinance:

(#36170-121602) AN ORDINANCE authorizing the City Manager to enter into an Agreement between the City of Roanoke and LifeNet Donor Memorial Foundation, Inc. ("LifeNet"), for sponsorship of a small portion of the Roanoke River Greenway located along Wiley Drive, accepting a one-time donation of \$5,000.00, and dispensing with the second reading of this ordinance by title.

(For full text of Ordinance, see Ordinance Book No. 67, page 21.)

Mr. Carder moved the adoption of Ordinance No. 36170-121602. The motion was seconded by Mr. Dowe and adopted by the following vote:

AYES: Council Members Bestpitch, Carder, Cutler, Dowe, Harris, Wyatt and Mayor Smith-----7.

NAYS: None-----0.

It was the consensus of Council that the LifeNet Donor Memorial Foundation, Inc., will be presented with a "Shining Star" award at a future City Council meeting.

**PARKS AND RECREATION-SPECIAL EVENTS:** The City Manager submitted a communication advising that Easter Seals of Virginia has operated musical concerts for years to benefit citizens and visitors of the Roanoke Valley, which concerts have included various jazz and swing bands that attract more than 2,000 attendees to each performance; and the concerts have promoted a positive impact upon the City of Roanoke, while enhancing the cultural and social opportunities available in this area.

It was further advised that as specified in the Agreement, Easter Seals of Virginia is interested in promoting an event in Elmwood Park for a period of three years, ending on December 31, 2005; annually, each of the approximately 19 concerts will be held from 5:30 p. m. – 8:30 p. m., but Easter Seals of Virginia will have access to the park until 11:00 p. m., for clean-up; in conjunction with Easter Seals of Virginia, the City will co-sponsor this event by providing security, parking, and manpower through the Sheriff's Department and Police Department, pursuant to conditions set forth in the Agreement; and based upon the expected economic impact, the City's return shall more than exceed expenses of the program.

The City Manager recommended that she be authorized to execute an Agreement, to be approved as to form by the City Attorney, between the City of Roanoke and Easter Seals of Virginia, for a period of three years, and to take such further action as reasonably necessary to implement and administer the Agreement.

Mr. Carder offered the following ordinance:

(#36171-121602) AN ORDINANCE authorizing the City Manager to enter into an Agreement between the City of Roanoke and Easter Seals of Virginia for use of a portion of certain City-owned property known as Elmwood Park, to operate a series of musical concerts, and dispensing with the second reading of this ordinance by title.

(For full text of Ordinance, see Ordinance Book No. 67, page 22.)

Mr. Carder moved the adoption of Ordinance No. 36171-121602. The motion was seconded by Mr. Dowe and adopted by the following vote:

**AYES:** Council Members Bestpitch, Carder, Cutler, Dowe, Harris, Wyatt and Mayor Smith-----7.

**NAYS:** None-----0.



## **REPORTS OF COMMITTEES:**

**BUDGET-SCHOOLS:** A communication from the Roanoke City School Board requesting the following appropriation of funds to various school accounts; and a report of the Director of Finance recommending that Council concur in the request, were before the body.

**\$34,961.00 from School Food Services fund balance available for appropriation for food service equipment.**

**\$46,213.00 for the FY2001-02 Title I Local Delinquent Children Grant to provide transition services to youth exiting the Juvenile Detention Center and youth entering Youth Haven. This continuing program is 100 per cent reimbursed by Federal funds.**

**\$55,252.00 for the FY2002-03 Title I Local Delinquent Children Grant to provide transition services to youth exiting the Juvenile Detention Center and youth entering Youth Haven. This continuing program is 100 per cent reimbursed by Federal funds.**

**\$763,520.00 for the Title I Winter program to provide remedial reading, language arts and mathematics instruction for students in targeted schools. This continuing program is 100 per cent reimbursed by Federal funds.**

**\$281,628.00 for the Title II, Part A program to provide funds for the placement of classroom teachers in grades one through three to reduce class size and provide funds for teacher and principal training. This continuing program will be reimbursed by Federal funds.**

**\$10,559.00 for the Title II program to provide services to students with limited English proficiency and to immigrant children. This continuing program will be funded with Federal funds.**

**\$421,144.00 for the Flow Through program to provide aid for the education and guidance of handicapped students. This continuing program will be 100 per cent reimbursed by Federal funds.**

**\$90.00 for the Preschool Incentive program to provide orientation and evaluation of handicapped students who will be entering the public school system for the first time during the fall. This continuing program will be reimbursed 100 per cent by Federal funds.**

**\$42,165.00 for the Special Education Capacity Building (Sliver) program to provide funds to assist the division in providing direct services and in making systemic change to improve results for children with disabilities. This continuing program will be reimbursed 100 per cent by Federal funds.**

**\$30,000.00 for the Blue Ridge Technical Academy Bio-Medical Career Laboratory program, to provide for the installation and operation of a bio-medical career laboratory at the Academy. A corporate donation has been received.**

**\$37,642.00 for the Adult Basic Education program to provide funds for the education of adults who have not completed high school. This continuing program will be reimbursed 100 per cent by Federal funds.**

**\$62,173.00 for the Regional Adult Literacy program to provide funds for the administration of adult literacy programs. This continuing program will be reimbursed 100 per cent by Federal funds.**

**\$98,494.00 for the Drug Free Schools program to provide funding for one student assistance counselor at the secondary level to work with substance abuse issues. This continuing program will be reimbursed 100 per cent by Federal funds.**

**\$121,695.00 for the Enhancing Education Through Technology grant to provide materials and training to implement mobile wireless laboratories at six elementary schools. This new program will be reimbursed 100 per cent by Federal funds.**

**\$2,640.00 for the PASS Initiative for Roanoke Academy for Mathematics and Science to provide funds for contracted technical assistance at the school. This new program will be reimbursed 100 per cent by State funds.**

**Mr. Harris offered the following budget ordinance:**

**(#36172-121602) AN ORDINANCE to amend and reordain certain sections of the 2002-2003 School and School Food Services Funds Appropriations, and dispensing with the second reading by title of this ordinance.**

**(For full text of ordinance, see Ordinance Book No. 67, page 23.)**

**Mr. Harris moved the adoption of Ordinance No. 36172-121602. The motion was seconded by Ms. Wyatt and adopted by the following vote:**

**AYES: Council Members Bestpitch, Carder, Cutler, Dowe, Harris, Wyatt and Mayor Smith-----7.**

**NAYS: None-----0.**

**UNFINISHED BUSINESS: NONE.**

**INTRODUCTION AND CONSIDERATION OF ORDINANCES AND RESOLUTIONS: NONE.**

**MOTIONS AND MISCELLANEOUS BUSINESS:**

**INQUIRIES AND/OR COMMENTS BY THE MAYOR AND MEMBERS OF COUNCIL:**

**COMMITTEES-FIFTH PLANNING DISTRICT COMMISSION (ROANOKE VALLEY/ALLEGHANY REGIONAL COMMISSION): Mr. Bestpitch offered the following resolution authorizing execution of an Early Action Compact for the Roanoke Metropolitan Statistical Area:**

**(#36186-121602) A RESOLUTION authorizing execution of an Early Action Compact for the Roanoke Metropolitan Statistical Area.**

**(For full text of Resolution, see Resolution Book No. 67, page 50.)**

**Mr. Bestpitch moved the adoption of Resolution No. 36186-121602. The motion was seconded by Mr. Cutler and adopted by the following vote:**

**AYES: Council Members Bestpitch, Carder, Cutler, Dowe, Harris, Wyatt and Mayor Smith-----7.**

**NAYS: None-----0.**

**BUSES-CITY EMPLOYEES: Council Member Wyatt suggested that the City Manager study the feasibility of offering incentives to those City employees who ride Valley Metro to work, in lieu of driving their personal vehicles.**

**Council Member Cutler advised that the City of Chattanooga, Tennessee, uses electric buses, and inquired if Valley Metro could move in that direction over time; whereupon, the City Manager advised that the inquiry will be reviewed by staff.**

**BUDGET-SNOW REMOVAL-EQUIPMENT: Council Member Wyatt inquired as to whether vehicles were rented from a local construction company in connection with recent snow removal efforts, and, if so, what were the costs incurred by the City.**

**BUDGET-CITY GOVERNMENT: Council Member Wyatt requested a status report on those services that have been contracted out by the City, the cost of such services prior to contracting out, and cost savings to the City, if any, as a result of contracting for the services.**

**WATER RESOURCES: Council Member Carder added his support to previous remarks offered by Council Member Cutler with regard to a public hearing on an increase in City water rates. He also spoke in support of an independent water authority.**

**DOWNTOWN ROANOKE, INCORPORATED-SPECIAL EVENTS: Due to inclement weather, Council Member Carder advised that the annual Christmas Parade, which was scheduled for Friday, December 13, was postponed and has been rescheduled for Friday, December 20, at 6:30 p.m.**

**ACTS OF ACKNOWLEDGEMENT-CITY EMPLOYEES-WATER RESOURCES: The Mayor advised that the year 2002 was filled with trials and tribulations with regard to the City's water supply as a result of the lack of rainfall; whereupon, he commended the City Manager and City staff on their efforts to identify additional**

sources of water. He advised that it has been an honor to serve as Mayor during the past calendar year, and he looks forward to many successes in the year 2003. He extended best wishes to the citizens of the City of Roanoke for a happy and joyous holiday season.

**HEARING OF CITIZENS UPON PUBLIC MATTERS:** The Mayor advised that Council sets this time as a priority for citizens to be heard and matters requiring referral to the City Manager will be referred immediately for response, report and recommendation to Council.

No citizen requested to be heard.

**CITY MANAGER COMMENTS:**

**CITY EMPLOYEES-SNOW REMOVAL-WATER RESOURCES:** The City Manager commended City staff on snow removal efforts during a recent snow event. She advised that the snow was followed by rainfall which caused the water level at Carvins Cove Reservoir to rise to 18.8 feet below spillway, and even though the water level has risen, she encouraged citizens of the City of Roanoke to continue their efforts to conserve water.

**WATER RESOURCES:** The City Manager called attention to a ceremony dedicating the Crystal Spring Filtration Plant on Wednesday, December 18, 2002, at 12:30 p.m.

**ZONING-CITY COUNCIL-COMMUNITY PLANNING:** The City Manager proposed that Council and the City Planning Commission hold a joint public hearing on Tuesday, January 21, 2003, at 7:00 p.m., or as soon thereafter as the matter may be heard, in the City Council Chamber, with regard to a measure regulating tattoo parlors in the City of Roanoke.

**REFUSE COLLECTION-CITY EMPLOYEES:** On behalf of City staff, the City Manager expressed appreciation to the Mayor and Members of Council for granting December 24, 2002, as an additional holiday for City employees. She advised that Solid Waste personnel will collect refuse during the week of Christmas on Monday, Tuesday, Thursday and Friday and will take the additional holiday at a later date.

**CITY MANAGER-CITY COUNCIL:** Ms. Burcham expressed appreciation for the opportunity to serve as City Manager of the City of Roanoke. She advised that she looks forward to a prosperous new year for the citizens of Roanoke and for the Mayor and Members of City Council.

**At 3:40 p.m., the Mayor declared the meeting in recess to be immediately reconvened in City Council's Conference Room for a briefing with regard to certain traffic calming proposals.**

**At 3:45 p.m., the Council meeting reconvened in the Council's Conference Room for briefings on traffic calming, with all Members of the Council in attendance, Mayor Smith presiding.**

**TRAFFIC: The City Manager introduced a briefing with regard to traffic calming in the Grandin Road area and the Bullit-Jamison corridor in southeast Roanoke.**

**Robert K. Bengtson, Director of Public Works, advised that the City's Comprehensive Plan, Vision 2001-2020, identifies actions needed with respect to streetscape and traffic calming on Roanoke's road system. He further advised that due to the presence of traffic barrels currently in use for the control of traffic approaching the Memorial Avenue Bridge project, staff has discovered that the 12,000 vehicles that use this roadway on a daily basis can be reasonably accommodated using two of the four travel lanes of Memorial Avenue from Grandin Road to the Memorial Bridge, and continuing for a short distance on 13th Street, S. W.**

**Mr. Bengtson and Kenneth H. King, Traffic Engineer, presented a concept plan demonstrating how this portion of Memorial Avenue could be repaved and remarked for two lanes of traffic instead of the existing four lanes, with the remaining two lanes that would no longer be used for traffic to be dedicated to full time use for on-street parking (rather than used during the peak hour with parking restricted); additional enhancement features include certain areas of textured pavement, landscaped traffic islands, street trees and gateway signage for the village center area. It was noted that sidewalk replacement and sidewalk/curb extensions may also be incorporated into the design; and plans will continue to be developed prior to a staff presentation of plans to the Greater Raleigh Court Civic League at its meeting on January 9, 2003.**

**Mr. King advised that one block of Grandin Road (Memorial Avenue to Westover Avenue) can be repaved and restriped to provide for two traffic lanes and "back-in" diagonal parking on the west side of the block to narrow the perceived width of the road; additional enhancement features include textured crosswalks and sidewalk/curb extensions that can provide opportunity areas for landscape enhancements; drainage inlets in the curb may require adjustments due to the curb extension; and diagonal parking fits better on the west side of the block due to the offset in the alignment of the next block of Grandin Road.**

Vice-Mayor Harris suggested that the fence at Virginia Heights Elementary School also be evaluated for possible upgrade.

Christopher Chittum, Senior Planner, Department of Planning, Building and Development, presented a briefing on traffic calming in the Bullitt-Jamison corridor and showed a typical intersection along the corridor. He advised that although the overall goal of the plan is to improve the livability along the street, the focus of the traffic calming strategy is on narrowing both the perceived and real width of the street to slow down traffic, which could be accomplished through tree planting, curb extensions, on-street parking, a colored shoulder, and colored crosswalks.

Mr. King advised that other traffic calming measures could be used in addition to those shown, and Mr. Chittum noted that the project could be completed within a period of two years. He added that City staff is currently working on certain two-way scenarios, which would involve longer term projects.

The City Manager noted that the project would not prevent a future conversion to two-way traffic if the traffic calming measures are not effective.

Council Member Wyatt advised that motorists tend to build up speed as they enter the City of Roanoke from the Town of Vinton, and requested that City staff look at Dale Avenue between the Town of Vinton and 13th Street, S. E.

Following the briefings, the Mayor declared the Council meeting in recess for one Closed Session to discuss vacancies on certain Council-Appointed Committees.

Following the Closed Session, the Mayor declared the meeting in recess until 5:00 p.m., for dinner, to be followed by a Closed Session on a personnel matter, being the mid-year performance evaluations of three Council-Appointed Officers.

At 7:00 p.m., on Monday, December 16, 2002, the regular meeting of City Council reconvened in the Roanoke City Council Chamber, fourth floor, Noel C. Taylor Municipal Building, 215 Church Avenue, S. W., City of Roanoke, with the following Council Members in attendance, Mayor Smith presiding.

PRESENT: Council Members William D. Bestpitch, William H. Carder, M. Rupert Cutler, Alfred T. Dowe, Jr., C. Nelson Harris, Linda F. Wyatt and Mayor Ralph K. Smith-----7.

ABSENT: None-----0.

**OFFICERS PRESENT:** Darlene L. Burcham, City Manager; William M. Hackworth, City Attorney; Jesse A. Hall, Director of Finance; and Mary F. Parker, City Clerk.

The reconvened meeting was opened with a prayer by Council Member Alfred T. Dowe, Jr.

The Pledge of Allegiance to the Flag of the United States of America was led by Mayor Smith.

**COUNCIL:** With respect to the two Closed Meetings concluded earlier in the day, Mr. Harris moved that each Member of City Council certify to the best of his or her knowledge that: (1) only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act; and (2) only such public business matters as were identified in any motion by which any Closed Meeting was convened were heard, discussed or considered by City Council. The motion was seconded by Mr. Carder and adopted by the following vote:

**AYES:** Council Members Bestpitch, Carder, Cutler, Dowe, Harris, Wyatt and Mayor Smith-----7.

**NAYS:** None-----0.

**PRESENTATIONS AND ACKNOWLEDGMENTS:**

**ACTS OF ACKNOWLEDGEMENT:** The Mayor advised that Shining Star Awards are presented to those persons who go above and beyond the call of duty to be of service to their fellow man and woman and to their community; whereupon, he advised that Shining Star Awards would be presented to Dr. Carol Gilbert, the Garden City Recreation Club, and the Garden City Civic League.

He advised that Dr. Gilbert has received numerous awards and citations for her outstanding contributions, but locally she has served as the Operational Medical Director for Roanoke Fire/EMS since 1988. Without request for compensation, the Mayor advised that Dr. Gilbert has given countless hours toward development, growth and improvements in EMS delivery in the City of Roanoke, she served on the EMS Advisory Board during the mid to late 1980's, which provided guidance in development of the City's paid EMS program; and she is actively involved in providing medical direction, training and quality assurance for EMS providers, both volunteer and career, in the City of Roanoke.



The Mayor further advised that the Garden City Recreation Club and the Garden City Civic League jointly donated a picnic shelter for Garden City Park; they have worked with the Recreation Department for the betterment of the community for a number of years and they have been instrumental in making numerous improvements to Garden City Park. He stated that present Garden City Park amenities include only a playground, restrooms and athletic fields, so the picnic shelter will be a welcomed addition for not only Garden City residents, but all City residents to enjoy.

The Mayor presented Dr. Gilbert, Ms. Diane Alexander representing the Garden City Recreation Club, and Mr. Charles Hancock representing the Garden City Civic League, with Shining Star Award trophies.

#### **PUBLIC HEARINGS:**

**ZONING:** Pursuant to Resolution No. 25523 adopted by the Council on Monday, April 6, 1981, the City Clerk having advertised a public hearing for Monday, December 16, 2002, at 7:00 p.m., or as soon thereafter as the matter may be heard, on the request of Dudley Automotive Corp. to rezone a tract of land lying on Campbell Avenue, S. W., Official Tax No. 1220415, from RM-2, Residential Multi-family, Medium Density District, to C-2, General Commercial District, subject to certain conditions proffered by the petitioner, the matter was before the body.

Legal advertisement of the public hearing was published in The Roanoke Times on Friday, November 29, 2002, and Friday, December 6, 2002.

A report of the City Planning Commission advising that the purpose of the request for rezoning is to use the subject property for temporary parking and storage of vehicles waiting for service or repairs at the petitioner's garage; and at a public hearing which was held on Thursday, November 21, 2002, the petitioner's attorney agreed to amend proffered conditions to include limited access to the subject property, installation of a vinyl fence, and setback of the fence from property lines on the western and northern boundaries, ten feet and five feet respectively, with landscaping buffers installed on the outside of the fencing in those areas, was before Council.

The City Planning Commission recommended that Council approve the request for rezoning, with amended proffers. It was advised that given the adjacent land uses and zoning patterns, the requested C-2, General Commercial District, is appropriate, provided the integrity of the adjacent residential neighborhood is protected and amended proffers provide a reasonable approach to buffering the residential neighborhood from the proposed use.

**Mr. Dowe offered the following ordinance:**

**(#36173-121602) AN ORDINANCE to amend §36.1-3, Code of the City of Roanoke (1979), as amended, and Sheet No. 112, Sectional 1976 Zone Map, City of Roanoke, to rezone certain property within the City, subject to certain conditions proffered by the applicant; and dispensing with the second reading of this ordinance by title.**

**(For full text of Ordinance, see Ordinance Book No. 67, page 27.)**

**Mr. Dowe moved the adoption of Ordinance No. 36173-121602. The motion was seconded by Mr. Harris.**

**Roy V. Creasy, Attorney, appeared before Council on behalf of the request of his client.**

**The Mayor inquired if there were persons present who would like to address Council in connection with the request for rezoning. There being none, he declared the public hearing closed.**

**There being no discussion by Council, Ordinance No. 36173-121602 was adopted by the following vote:**

**AYES: Council Members Bestpitch, Carder, Cutler, Dowe, Harris, Wyatt and Mayor Smith-----7.**

**NAYS: None-----0.**

**STREETS AND ALLEYS: Pursuant to Resolution No. 25523 adopted by Council on Monday, April 6, 1981, the City Clerk having advertised a public hearing for Monday, December 16, 2002, at 7:00 p.m., or as soon thereafter as the matter may be heard, on the request of Dudley Automotive Corp. that an alley lying between Official Tax Nos. 1220415 and 1220416, be permanently vacated, discontinued and closed, the matter was before the body.**

**Legal advertisement of the public hearing was published in The Roanoke Times on Friday, November 29, 2002, and Friday, December 6, 2002.**

**A report of the City Planning Commission advising that the petition is concurrent with the petitioner's request to rezone Official Tax No. 1220415 from RM-2, Residential Multi Family, to C-2, General Commercial District; and the petitioner intends to add the alley to the site where he operates an automotive repair shop, was before Council.**

The City Planning Commission recommended that Council approve the request, subject to certain conditions.

Mr. Dowe offered the following ordinance:

(#36174-121602) AN ORDINANCE permanently vacating, discontinuing and closing certain public rights-of-way in the City of Roanoke, Virginia, as more particularly described hereinafter; and dispensing with the second reading of this ordinance by title.

(For full text of Ordinance, see Ordinance Book No. 67, page 29.)

Mr. Dowe moved the adoption of Ordinance No. 36174-121602. The motion was seconded by Mr. Harris.

Roy V. Creasy, Attorney, appeared before Council in support of the request of his client.

The Mayor inquired if there were persons present who would like to address Council in connection with the closure of rights-of-way. There being none, he declared the public hearing closed.

There being no discussion by Council, Ordinance No. 36174-121602 was adopted by the following vote:

AYES: Council Members Bestpitch, Carder, Cutler, Dowe, Harris, Wyatt and Mayor Smith-----7.

NAYS: None-----0.

ZONING: Pursuant to Resolution No. 25523 adopted by the Council on Monday, April 6, 1981, the City Clerk having advertised a public hearing for Monday, December 16, 2002, at 7:00 p.m., or as soon thereafter as the matter may be heard, on the request of WS Associates of Virginia, L. L. C., to rezone two tracts of land located at the intersection of 1261 Riverland Road and Garden City Boulevard, S. E., identified as Official Tax Nos. 4360104 and 4360103, from RM-1, Residential Multi-family, Low-Density District, to C-2, General Commercial District, subject to certain conditions proffered by the petitioner, the matter was before the body.

Legal advertisement of the public hearing was published in The Roanoke Times on Saturday, November 30, 2002, Saturday, December 7, 2002, and Saturday, December 14, 2002.

A report of the City Planning Commission advising that the petitioner plans to construct a “country-store style” neighborhood convenience store, with gasoline sales, and incorporate a fast food restaurant tenant, which use requires a special exception from the Board of Zoning Appeals, was before Council.

The City Planning Commission recommended that Council approve the request for rezoning, advising that given the proffered uses, consistency of the location with the “Automobile-Oriented Village Center” concept, and proffered conditions that address development issues of off-street parking, signage, and a gas pump island canopy, the request for rezoning to General Commercial, with proffered conditions, is an appropriate use of the property.

Mr. Carder offered the following ordinance:

(#36175-121602) AN ORDINANCE to amend §36.1-3, Code of the City of Roanoke (1979), as amended, and Sheet No. 436, Sectional 1976 Zone Map, City of Roanoke, to rezone certain property within the City, subject to certain conditions proffered by the applicant; and dispensing with the second reading of this ordinance.

(For full text of Ordinance, see Ordinance Book No. 67, page 31.)

Mr. Carder moved the adoption of Ordinance No. 36175-121602. The motion was seconded by Mr. Dowe.

Maryellen F. Goodlatte, Attorney, appeared before Council in support of the request of her client.

The Mayor inquired if there were persons present who would like to address Council in connection with the request for rezoning. There being none, he declared the public hearing closed.

There being no discussion by Council, Ordinance No. 36175-121602 was adopted by the following vote:

AYES: Council Members Bestpitch, Carder, Cutler, Dowe, Harris, Wyatt and Mayor Smith-----7.

NAYS: None-----0.

**ZONING-Y.M.C.A.-CITY PROPERTY:** Pursuant to Resolution No. 25523 adopted by the Council on Monday, April 6, 1981, the City Clerk having advertised a public hearing for Monday, December 16, 2002, at 7:00 p.m., or as soon thereafter as the matter may be heard, with regard to a proposal of the City of Roanoke to convey, by exchange, a portion of City-owned property bearing Official Tax Nos. 1113418 and 1113419, for development and use of a new facility between the Young Men's Christian Association (YMCA) and the City of Roanoke, the matter was before the body.

Legal advertisement of the public hearing was published in The Roanoke Times on Sunday, December 8, 2002.

The City Manager submitted a communication advising that in July 2001, Council approved execution of the collaborative Agreement for partnering on the development and use of a new facility between the YMCA and the City of Roanoke; progress of the Agreement was halted when it was discovered that a parking arrangement with a nearby church was not taken into consideration; while reassessing terms and provisions of the agreement, other facts became apparent; and the original Agreement did not take into consideration several issues that the proposed new Agreement addresses.

It was further advised that in the original Agreement the YMCA made certain warranties with regard to the property; the YMCA was to convey to the City as to the environmental representations known; however, an environmental site assessment has since been completed, which has determined that there is an underground fuel storage tank and friable asbestos insulation in certain parts of the YMCA structure that may require removal, mitigation, or encapsulation; the new Agreement takes into account environmental issues discovered and mitigation expenses associated with such environmental concerns; and provisions have been included in the Agreement for the sharing of mitigation costs and a cap has been placed on City commitments.

It was explained that in order to resolve newly identified issues, it is necessary to alter the Agreement with the YMCA; the Agreement has been changed to stipulate that the YMCA will ensure that the underground fuel tank will be removed according to accepted environmental standards identified by the City, and the YMCA will share in costs associated with mitigation of the asbestos, which will be done prior to the City taking title to the property.

It was noted that when the properties are transferred, the City will not obtain the title to the YMCA property until the YMCA has received a certificate of occupancy for the new facility; the YMCA will use its existing property, as well as the two parcels of land provided by the City, as collateral with its lender; no terms were identified in the original Agreement as to the preferred delivery of the property for the City, and since that time, language has been incorporated that determines that property for the City be delivered free of all liens and liabilities.

The City Manager advised that originally, the \$200,000.00 annual payments were to begin on September 1, 2001 to the YMCA; due to environmental and property issues, the first payment will not begin until April 1, 2003; as a result of the delay in finalizing the original Agreement, it has been requested that certain target dates be adjusted; and funding for the City's ten year, \$2.0 million commitment (\$200,000.00 per year) is to be provided annually through interest earnings in the Capital Projects Fund.

The City Manager recommended that she be authorized to execute the revised Purchase and Sale Agreement, to be approved as to form by the City Attorney, and any other documents necessary to implement the terms of the Agreement.

Mr. Carder offered the following ordinance:

(#36176-121602) AN ORDINANCE authorizing the City Manager to enter into an agreement between the City of Roanoke and the YMCA of the Roanoke Valley, Inc., for the development and use of a new facility, and dispensing with the second reading of this ordinance by title.

(For full text of Ordinance, see Ordinance Book No. 67, page 33.)

Mr. Carder moved the adoption of Ordinance No. 36176-121602. The motion was seconded by Mr. Dowe.

The Mayor inquired if there were persons present who would like to address Council in connection with the matter. There being none, he declared the public hearing closed.

There being no discussion by Council, Ordinance No. 36176-121602 was adopted by the following vote:

AYES: Council Members Bestpitch, Carder, Cutler, Dowe, Harris, Wyatt and Mayor Smith-----7.

NAYS: None-----0.

**Council Member Bestpitch stated that his spouse is an employee of the YMCA of the Roanoke Valley, Inc., and he has been advised by the City Attorney that inasmuch as no funds are being appropriated, he is not required to abstain from voting on the matter.**

**ZONING-Y. M. C. A: Pursuant to Resolution No. 25523 adopted by Council on Monday, April 6, 1981, the City Clerk having advertised a public hearing for Monday, December 16, 2002, at 7:00 p.m., or as soon thereafter as the matter may be heard, with regard to the request of the YMCA of the Roanoke Valley, Inc., to rezone tracts of land lying between Campbell Avenue, Fifth Street, Luck Avenue and Sixth Street, S. W., comprising approximately 2.89 acres, more or less, and identified as Official Tax Nos. 1113401, 1113408 - 1113412, inclusive, and 1113414 - 1113425, inclusive, from C-1, Office District, to C-3, Central Business District, the matter was before the body.**

**Legal advertisement of the public hearing was published in The Roanoke Times on Friday, November 29, 2002, and Friday, December 6, 2002.**

**A report of the City Planning Commission, advising that the YMCA of the Roanoke Valley, Inc., plans to construct a new YMCA facility; and upon completion, the new facility will replace the YMCA Central Branch currently located at the northeast corner of Church Avenue and Fifth Street, S. W.**

**The City Planning Commission recommended that Council approve the request for rezoning to C-3, Central Business District, advising that given the development and success of the Jefferson Center and the YMCA's role in helping to solidify an anchor for the western edge of downtown, the rezoning request allows for an appropriate and desirable use of the properties.**

**Mr. Dowe offered the following ordinance:**

**(#36177-121602) AN ORDINANCE to amend §36.1-3, Code of the City of Roanoke (1979), as amended, and Sheet No. 111, Sectional 1976 Zone Map, City of Roanoke, to rezone certain property within the City, subject to certain conditions proffered by the applicant; and dispensing with the second reading of this ordinance.**

**(For full text of Ordinance, see Ordinance Book No. 67, page 34.)**

Mr. Dowe moved the adoption of Ordinance No. 36177-121602. The motion was seconded by Mr. Carder.

James F. Douthat, Attorney, appeared before Council in support of the request of his client.

The Mayor inquired if there were persons present who would like to address Council in connection with the matter. There being none, he declared the public hearing closed.

There being no discussion by Council, Ordinance No. 36177-121602 was adopted by the following vote:

AYES: Council Members Bestpitch, Carder, Cutler, Dowe, Harris, Wyatt and Mayor Smith-----7.

NAYS: None-----0.

**CITY PROPERTY-WESTERN VIRGINIA FOUNDATION FOR THE ARTS AND SCIENCES-IMAX THEATRE:** Pursuant to Resolution No. 25523 adopted by the Council on Monday, April 6, 1981, the City Clerk having advertised a public hearing for Monday, December 16, 2002, at 7:00 p.m., or as soon thereafter as the matter may be heard, with regard to conveyance of a portion of City-owned property, identified as Official Tax No. 4010217, to the Western Virginia Foundation for the Arts and Sciences, for design, development and construction on the property of a new building or complex to house an art museum and IMAX Theatre, subject to terms of an Agreement dated April 16, 2001, and any subsequent amendments to such Agreement between the City and the Foundation, the matter was before the body.

Legal advertisement of the public hearing was published in The Roanoke Times on Friday, November 29, 2002, and Friday, December 6, 2002.

The City Manager submitted a communication advising that an agreement between the City of Roanoke and the Art Museum of Western Virginia for design, development and construction of a new building or complex to house the art museum and IMAX Theatre was entered into on October 4, 2000; part of the Agreement, as amended, involves the donation of certain property to the Foundation for its new building; the City desires to convey additional property which is needed for construction containing 0.052 acre identified as Official Tax No. 4010217 to the Western Virginia Foundation for the Arts and Sciences; this parcel of land is



currently assessed at \$14,800.00; and actual conveyance would not be made until such time as the Foundation certifies to the City that the Art Museum has a binding contract with a contractor to commence construction of the project and that the property is needed for such purpose.

The City Manager recommended, following the public hearing, that she be authorized to execute an amendment to the Agreement dated October 4, 2000, to provide for donation of Official Tax No. 4010217 to the Western Virginia Foundation for the Arts and Sciences, subject to terms applicable to other property to be donated to the Foundation, such document to be approved as to form by the City Attorney; and the Foundation will be responsible for all title work, surveying, plat preparation, and preparation of legal documents.

Mr. Bestpitch offered the following ordinance:

(#36178-121602) AN ORDINANCE authorizing the City Manager to execute Amendment No. 1 to the Agreement dated April 16, 2001, between the City of Roanoke and the Western Virginia Foundation for the Arts and Sciences ("Foundation"), such Agreement dated April 16, 2001, providing for the conveyance of property for the development and construction of a new building or complex to house an art museum and an IMAX Theatre, and such Amendment No. 1 providing for the conveyance of additional property from the City to the Foundation, the extension of a deadline therein, and the ability of the Foundation, or its successors in interest, to relocate utilities in First Street, S. E., to private property, upon certain terms and conditions, and dispensing with the second reading of this ordinance by title.

(For full text of Ordinance, see Ordinance Book No. 67, page 35.)

Mr. Bestpitch moved the adoption of Ordinance No. 36178-121602. The motion was seconded by Mr. Cutler.

The Mayor inquired if there were persons present who would like to be heard in connection with the matter. There being none, he declared the public hearing closed.

Council Member Dowe advised that he serves on the Board of Directors of the Art Museum of Western Virginia and inquired if he should abstain from voting on the matter; whereupon, the City Attorney stated that serving on the Board of Directors would not represent a conflict of interest.

There being no discussion by Council, Ordinance No. 36178-121602 was adopted by the following vote:

**AYES:** Council Members Bestpitch, Carder, Cutler, Dowe, Harris, Wyatt and Mayor Smith-----7.

**NAYS:** None-----0.

**WESTERN VIRGINIA FOUNDATION FOR THE ARTS AND SCIENCES-STREETS AND ALLEYS-IMAX THEATRE:** Pursuant to Resolution No. 25523 adopted by the Council on Monday, April 6, 1981, the City Clerk having advertised a public hearing for Monday, December 16, 2002, at 7:00 p.m., or as soon thereafter as the matter may be heard, with regard to the request of the Western Virginia Foundation for the Arts and Sciences, a Virginia non-stock corporation, that portions of Norfolk Avenue and First Street, S. E., adjacent to Official Tax No. 4010205, be permanently vacated, discontinued and closed, the matter was before the body.

Legal advertisement of the public hearing was published in The Roanoke Times on Friday, November 29, 2002, and Friday, December 6, 2002.

A report of the City Planning Commission advising that the petitioner requests closure of two portions of right-of-way: 1<sup>st</sup> Street, S. E., between Norfolk and Salem Avenues, and a portion of Norfolk Avenue that adjoins the aforementioned portion of First Street; and the petitioner plans to combine the subject portions of rights-of-way with Official Tax Nos. 4010205 and 4010217 to develop an art museum/IMAX theater complex, upon acquisition of the properties from the City of Roanoke, was before Council.

The City Planning Commission recommended approval of the request, subject to certain conditions listed below, advising that a land conveyance agreement is being negotiated between the petitioner and the City, which will allow the petitioner to combine Official Tax No. 4010217 with the subject portions of rights-of-way and Official Tax No. 4010205; and it is further recommended that the petitioner not be charged for the portions of rights-of-way.

Mr. Carder offered the following ordinance:

(#36179-121602) AN ORDINANCE permanently vacating, discontinuing and closing certain public right-of-way in the City of Roanoke, Virginia, as more particularly described hereinafter; and dispensing with the second reading of this ordinance by title.

(For full text of Ordinance, see Ordinance Book No. 67, page 37.)

Mr. Carder moved the adoption of Ordinance No. 36179-121602. The motion was seconded by Mr. Dowe.

Stephen W. Lemon, Attorney, appeared before Council in support of the request of his client.

The Mayor inquired if there were persons present who would like to address Council in connection with the closure of right-of-way. There being none, he declared the public hearing closed.

There being no discussion by Council, Ordinance No. 36179-121602 was adopted by the following vote:

AYES: Council Members Bestpitch, Carder, Cutler, Dowe, Harris, Wyatt and Mayor Smith-----7.

NAYS: None-----0.

**FLOOD REDUCTION/CONTROL-STREETS AND ALLEYS:** Pursuant to Resolution No. 25523 adopted by the Council on Monday, April 6, 1981, the City Clerk having advertised a public hearing for Monday, December 16, 2002, at 7:00 p.m., or as soon thereafter as the matter may be heard, with regard to the request of Martha G. Hayes and Stanley C. Simmons, Jr., that a certain portion of an alley lying between Official Tax Nos. 4151204 and 4151205, extending from its southerly boundary at Arbutus Avenue, S. E., to the boundary of property acquired by the Roanoke River Flood Reduction Project, be permanently vacated, discontinued and closed, the matter was before the body.

Legal advertisement of the public hearing was published in The Roanoke Times on Friday, November 29, 2002, and Friday, December 6, 2002.

A report of the City Planning Commission advising that the City has acquired property from the petitioner as a part of the Flood Reduction Project; in exchange, the Department of Engineering assisted the petitioners in filing the petition; and the subject alley is not developed and does not serve any function for City services, or for access to parking for the adjoining property owners, was before Council.

The City Planning Commission recommended approval of the request, subject to certain conditions; and further recommended that the petitioners not be charged for the alley inasmuch as closure will not result in any additional development potential for adjoining properties.

**Mr. Carder offered the following ordinance:**

**(#36180-121602) AN ORDINANCE permanently vacating, discontinuing and closing certain public rights-of-way in the City of Roanoke, Virginia, as more particularly described hereinafter; and dispensing with the second reading of this ordinance by title.**

**(For full text of Ordinance, see Ordinance Book No. 67, page 40.)**

**Mr. Carder moved the adoption of Ordinance No. 36180-121602. The motion was seconded by Mr. Harris.**

**The Mayor inquired if there were persons present who would like to address Council in connection with the closure of public rights-of-way. There being none, he declared the public hearing closed.**

**There being no discussion by Council, Ordinance No. 36180-121602 was adopted by the following vote:**

**AYES: Council Members Bestpitch, Carder, Cutler, Dowe, Harris, Wyatt and Mayor Smith-----7.**

**NAYS: None-----0.**

**NEIGHBORHOOD ORGANIZATIONS/PLANS-COMMUNITY PLANNING:**  
**Pursuant to Resolution No. 25523 adopted by the Council on Monday, April 6, 1981, the City Clerk having advertised a public hearing for Monday, December 16, 2002, at 7:00 p.m., or as soon thereafter as the matter may be heard, with regard to an amendment to Vision 2001-2020, the City's Comprehensive Plan, to include the Peters Creek North Neighborhood Plan and the Loudon-Melrose/Shenandoah West Neighborhood Plan as elements of Vision 2001-2020, the City's Comprehensive Plan, the matter was before the body.**

**Legal advertisement of the public hearing was published in The Roanoke Times on Friday, November 29, 2002, and Friday, December 6, 2002.**

**A report of the City Planning Commission advising that Vision 2001-2020 recommends that detailed neighborhood plans be developed and adopted for each of Roanoke's neighborhoods; and the plan for Peters Creek North has been reviewed by the neighborhood, by City staff and by the Long Range Planning Committee of the City Planning Commission, was before Council.**

The City Planning Commission recommended the Peters Creek North Neighborhood Plan for adoption as a component of Vision 2001-2020.

Mr. Dowe offered the following ordinance:

(#36181-121602) AN ORDINANCE approving the Peters Creek North Neighborhood Plan, and amending Vision 2001-2020, the City's Comprehensive Plan, to include the Peters Creek North Neighborhood Plan; and dispensing with the second reading of this ordinance by title.

(For full text of Ordinance, see Ordinance Book No. 67, page 42.)

Mr. Dowe moved the adoption of Ordinance No. 36181-121602. The motion was seconded by Mr. Cutler.

The Mayor inquired if there were persons present who would like to address Council in connection with the Peters Creek North Neighborhood Plan. There being none, he declared the public hearing closed.

There being no discussion by Council, Resolution No. 36181-121602 was adopted by the following vote:

AYES: Council Members Bestpitch, Carder, Cutler, Dowe, Harris, Wyatt and Mayor Smith-----7.

NAYS: None-----0.

A report of the City Planning Commission advising that the Loudon-Melrose/Shenandoah West Neighborhood Plan comprises two neighborhoods in the northwest quadrant of the City; Loudon-Melrose is one of the City's rehabilitation districts, and was recently selected by Council as one of six potential revitalization areas for the allocation of Community Development Block Grant (CDBG) funds; the area is bounded by Orange and Melrose Avenues to the north, the railroad tracks to the south, 24<sup>th</sup> Street to the west, and 14<sup>th</sup> Street to the east; and Shenandoah West is bound by Melrose Avenue to the north, the railroad tracks to the south, 31<sup>st</sup> Street to the west, and 24<sup>th</sup> Street to the east, was before Council.

It was further advised that Loudon-Melrose is a traditional neighborhood that was primarily developed in the 1920s with single-family homes; Shenandoah West was developed much later with primarily industrial and multi-family residential complexes; and both areas are bound by industrial and commercial development.

The City Planning Commission recommended approval of the Loudon-Melrose/Shenandoah West Neighborhood Plan for adoption as a component of Vision 2001-2020.

Mr. Harris offered the following ordinance:

(#36182-121602) AN ORDINANCE approving the Loudon Melrose/Shenandoah West Neighborhood Plan, and amending Vision 2001-2020, the City's Comprehensive Plan, to include the Loudon Melrose/Shenandoah West Neighborhood Plan; and dispensing with the second reading of this ordinance by title.

(For full text of Ordinance, see Ordinance Book No. 67, page 43.)

Mr. Harris moved the adoption of Ordinance No. 36182-121602. The motion was seconded by Mr. Carder.

The Mayor inquired if there were persons present who would like to address Council in connection with the Loudon Melrose/Shenandoah West Neighborhood Plan. There being none, he declared the public hearing closed.

There being no discussion by Council, Ordinance No. 36182-121602 was adopted by the following vote:

AYES: Council Members Bestpitch, Carder, Cutler, Dowe, Harris, Wyatt and Mayor Smith-----7.

NAYS: None-----0.

ZONING: Pursuant to Resolution No. 25523 adopted by the Council on Monday, April 6, 1981, the City Clerk having advertised a public hearing for Monday, December 16, 2002, at 7:00 p.m., or as soon thereafter as the matter may be heard, with regard to a request of Roanoke Valley Harley Davidson Owners Group, Inc., for amendment of proffered conditions regarding a parcel of land lying on the east side of Peters Creek Road, N. W., designated as Official Tax No. 6380101 (1925 Peters Creek Road, N. W.), containing a total of 9.1218 acres; and to amend, repeal or replace proffered conditions authorized by Ordinance No. 35030-090500 presently binding upon Official Tax No. 6380101, the matter was before the body.

Legal advertisement of the public hearing was published in The Roanoke Times on Friday, November 29, 2002, and Friday, December 6, 2002.

The City Planning Commission submitted a written report advising that in September, 2000, pursuant to Ordinance No. 35030-090500 certain proffers were repealed and Official Tax Nos. 6370306, 6380101, 6380102, and 6380104 were rezoned from RS-3, Single Family Residential, to C-2, General Commercial, subject to certain proffered conditions; subsequently, the tax parcels were combined into one tax parcel identified as Official Tax No. 6380101, the subject of the petition to amend proffered conditions; and eight conditions are presently binding upon the subject property as a result of the conditional C-2, General Commercial rezoning in 2000; the petitioner requests that Proffer No. 2 (That the property shall be used only for the purpose of selling motorcycles, motorcycle accessories and related clothing and the servicing of motorcycles.) be amended, as follows:

2. That the property shall be used only for the purpose of selling motorcycles, motorcycle parts and accessories and other related items and including the servicing of motorcycles, and clubs, lodges and fraternal organizations incidental to, and accessory to, the use of the property to sell motorcycles, motorcycle parts and accessories and other related items, and servicing of motorcycles, subject to the following restrictions:

- a) That no alcoholic beverages shall be permitted on the premises.
- b) That the use of the facility for club, lodge and fraternal organization activities shall not extend beyond 10:00 p.m.

The City Planning Commission recommended that Council approve the amendment of proffers on the subject property.

Mr. Carder offered the following ordinance:

(#36183-121602) AN ORDINANCE to amend §§36.1-3 and 36.1-4, Code of the City of Roanoke (1979), as amended, and Sheet No. 638, Sectional 1976 Zone Map, City of Roanoke, in order to amend certain conditions presently binding upon certain property previously conditionally rezoned from RS-3, Single Family Residential District, to C-2, General Commercial District, subject to certain conditions proffered by the applicant; and dispensing with the second reading of this ordinance.

(For full text of Ordinance, see Ordinance Book No. 67, page 44.)

**Mr. Carder moved the adoption of Ordinance No. 36183-121602. The motion was seconded by Mr. Harris.**

**Edward A. Natt, Attorney, appeared before Council in support of the request of his client.**

**The Mayor inquired if there were persons present who would like to address Council in connection with the amended conditions to rezoning. There being none, he declared the public hearing closed.**

**There being no discussion by Council, Ordinance No. 36183-121602 was adopted by the following vote:**

**AYES: Council Members Bestpitch, Carder, Cutler, Dowe, Harris, Wyatt and Mayor Smith-----7.**

**NAYS: None-----0.**

**ZONING: Pursuant to Resolution No. 25523 adopted by the Council on Monday, April 6, 1981, the City Clerk having advertised a public hearing for Monday, December 16, 2002, at 7:00 p.m., or as soon thereafter as the matter may be heard, with regard to the request of Bland A. Painter, III, Betty J. Painter and FR-1 Investments, L. L. C., to rezone approximately 7.292 acres of land, more or less, on Franklin Road, S. W., identified as Official Tax Nos. 1272504, 1272505, 1150103, and a portion of 1150106, from LM, Light Manufacturing District, to C-2, General Commercial District, subject to certain conditions proffered by the petitioners, the matter was before the body.**

**Legal advertisement of the public hearing was published in The Roanoke Times on Friday, November 29, 2002, and Friday, December 6, 2002.**

**A report of the City Planning Commission advising that the petitioner proposes to develop a shopping center on the site of the rezoning request (although such development is not proffered by site plan or in language); the proposed development also incorporates the property at the corner of Franklin Road and Wonju Street, which property is owned by the petitioner and is zoned C-2, General Commercial District; the subject site is undeveloped, with the exception of a stone veneer structure that currently houses a massage and spa establishment (Official Tax No. 1150103) and a 32,882 square foot warehouse (formerly Holdren's) located on Official Tax No. 1150106; and two outdoor advertising structures are located on the site.**



**It was further advised that an amended petition, with conditions, was filed on November 19, 2002, and a second amended petition was filed on December 5, 2002, with certain proffered conditions.**

**The City Planning Commission recommended that Council approve the rezoning request, with amended proffers.**

**Mr. Dowe offered the following ordinance:**

**(#36184-121602) AN ORDINANCE to amend §36.1-3, Code of the City of Roanoke (1979), as amended, and Sheet Nos. 127 and 115, Sectional 1976 Zone Map, City of Roanoke, to rezone certain property within the City, subject to certain conditions proffered by the applicant; and dispensing with the second reading of this ordinance by title.**

**(For full text of Ordinance, see Ordinance Book No. 67, page 46.)**

**Mr. Dowe moved the adoption of Ordinance No. 36184-121602. The motion was seconded by Mr. Carder.**

**Maryellen F. Goodlatte, Attorney, appeared before Council in support of the request of her client and advised that the petitioner seeks to down zone property at the intersection of Wonju Street and Franklin Road, S. W., from LM to C-2, with proffered conditions, in order to develop an up scale retail shopping center, and has proffered a gourmet specialty grocery store as one of its users. She stated that the petitioner has been working with the Wild Oats chain, which is a gourmet grocery store, and if efforts are successful, the City of Roanoke will have the first Wild Oats location in Virginia. She explained that the City Planning Commission spent considerable time and consideration in redefining the petition for rezoning during its public hearing and a number of additional proffers were made by the petitioner to meet the concerns of the City Planning Commission, most notable the tying of a Wild Oats, or a competitor of Wild Oats, to the property via proffers and, if a Wild Oats, or one of its competitors, does not locate on the site, the petitioner must come back to the City, which proffer, coupled with certain other proffers contained in the petition, places a large hammer over the head of the developer.**

**The Mayor inquired if there were persons present who would like to address Council in connection with the request for rezoning; whereupon, Mr. David Tenzer, 3072 Poplar Lane, S. W., spoke in support of the development as a quality of life**

issue for those persons who have lived in the area for a long period of time who have been waiting for a Wild Oats, or gourmet type grocery store, to locate in the Roanoke area. He stated that a Wild Oats store will provide a positive draw for young professionals and encouraged Council to approve the request for rezoning.

There being no further speakers, the Mayor declared the public hearing closed.

Council Member Cutler expressed concern that Ore Branch bisects the property and there will be a challenge in addressing the flow of a creek that originates in the Route 220 area, along with storm water from the parking lots at Wal-Mart, Lowe's, Tanglewood Shopping Mall, etc., coming down Franklin Road onto the property in question. Although a large culvert is envisioned to handle the flow of water, he questioned how water quality protection responsibilities will be addressed.

A representative of Hayes, Seay, Mattern and Mattern, Engineers, advised that there are two components to the water issue on the site: (1) water that passes through the site, but does not originate on the site, will be addressed by certain actions that are designed to keep water off of the site; and (2) water that falls on the site will be subject to requirements that apply to every other site in the area with regard to containment and treatment, the normal method being through a detention pond to detain the water, or allow the water to evaporate and release slowly through an outlet structure, etc. He stated that the petitioner has not reached the point of preparing a detailed design, but the site will be subject to the same requirements that are imposed on other developers.

Council Member Bestpitch referred to certain language contained in the petition for rezoning which states that the property is located at a key commercial intersection, and the property has the potential to physically enhance the Franklin Road corridor, while providing significant economic benefits beyond its current use. He concurred in the statement and advised that the most important way, as identified through the Comprehensive Plan process, to visually enhance these types of corridors is by situating the buildings close to the street and not continuing to build strip commercial centers where all buildings are at the rear of the property and nothing exists between the street and the businesses except asphalt. He expressed concern that there is nothing in the rezoning petition to prevent that from happening. He called attention to those individuals who have commented on the fact that they do not understand why anyone would be concerned about making the development accessible to walkers, bicyclists, or to those persons who are not in automobiles,

because they cannot imagine anyone wanting to walk to this intersection. He added that as long as the City does not change the way it plans, designs and develops these types of properties, the City will never reach the point where anyone can imagine that these types of projects can be built in a pedestrian friendly manner. He referred to models all across the country where communities are doing exactly that which is the vision that was outlined in the City's Comprehensive Plan. He strongly encouraged those persons involved in the project to begin work early in the process to site some of the buildings as close to the street as possible.

Council Member Carder advised that the project offers something for everyone, and he intends to support the rezoning. He advised that the Wild Oats chain shares Roanoke's vision as stated in its Comprehensive Plan, and Wild Oats locations are generally constructed fairly close to roads, with considerable landscaping.

Council Member Dowe applauded the process, and stated that when the plan first came forth, it was somewhat nebulous in nature and throughout the planning process, an agreement came to fruition. He commended the City Planning Commission, staff, and the petitioner on their cooperation in bringing the project to a worthwhile conclusion. He echoed the sentiments of Mr. Bestpitch and called attention to future possibilities as aesthetically pleasing buildings and landscaping, etc., are phased in.

The Mayor advised that the Painter family has a reputation for being grocers, and he is confident that they will locate a Wild Oats, or its equivalent, on the area in question.

There being no further discussion, Ordinance No. 36184-121602 was adopted by the following vote:

AYES: Council Members Bestpitch, Carder, Cutler, Dowe, Harris, Wyatt and Mayor Smith-----7.

NAYS: None-----0.

ZONING: Pursuant to Resolution No. 25523 adopted by the Council on Monday, April 6, 1981, the City Clerk having advertised a public hearing for Monday, December 16, 2002, at 7:00 p.m., or as soon thereafter as the matter may be heard, with regard to amendment of Sections 36.1-206, Permitted uses, C-2, General

Commercial District, and 36.1-228, Special Exception Uses, C-3, Central Business District, Chapter 36.1, Zoning, Code of the City of Roanoke (1979), as amended, to provide standards for motor vehicle service station canopies in said zoning districts, the matter was before the body.

Legal advertisement of the public hearing was published in The Roanoke Times on Friday, November 29, 2002, and Friday, December 6, 2002.

A report of the City Planning Commission advising that the proposed amendment was initiated as a result of a July, 2002, joint meeting of the Architectural Review Board and City Council, with similar concerns reiterated at a joint meeting of the City Planning Commission and City Council in August, 2002; and the directive was that the zoning ordinance should regulate the maximum height and illumination of canopies being constructed over gas pump islands, was before Council.

It was further advised that the proposed amendment provides regulations for canopies over gas pump islands in the districts where gas stations and neighborhood and highway convenience stores are currently permitted, i.e.: C-2, General Commercial District (permitted uses), and C-3, Central Business District (by special exception); and more specifically, the proposed amendment incorporates new regulations for motor vehicle service station canopies in the C-2, General Commercial District, permitted uses section, and modifies and expands current regulations of such canopies by special exception in the C-3, Central Business District.

The City Planning Commission recommended that Council approve the proposed text amendments, which will enhance streetscapes, reduce visual clutter, limit the scale of signs, and reduce light pollution, consistent with recommendations of Vision 2001-2020.

Mr. Carder offered the following ordinance:

(#36185-121602) AN ORDINANCE amending and reordaining §36.1-206, Permitted uses, of Subdivision C, C-2; General Commercial District, of Article III; District Regulations; and §36.1-228, Special exception uses, of Subdivision D, C-3; Central Business District, of Article III, District Regulations, of the Code of the City of Roanoke (1979), as amended, to provide standards for motor vehicle service station canopies in those zoning districts; and dispensing with the second reading by title of this ordinance.

(For full text of Ordinance, see Ordinance Book No. 67, page 47.)

**Mr. Carder moved the adoption of Ordinance No. 36185-121602. The motion was seconded by Mr. Cutler.**

**The Mayor inquired if there were persons present who would like to address Council in connection with the proposed amendment. There being none, he declared the public hearing closed.**

**There being no discussion by Council, Ordinance No. 36185-121602 was adopted by the following vote:**

**AYES: Council Members Bestpitch, Carder, Cutler, Dowe, Harris, Wyatt and Mayor Smith-----7.**

**NAYS: None-----0.**

**ZONING-COMMITTEES-OATHS OF OFFICE: The Mayor advised that there are two vacancies on the Board of Zoning Appeals, whereupon, he opened the floor for nominations.**

**Mr. Carder placed in nomination the names of William D. Poe and Joseph Miller.**

**There being no further nominations, Mr. Poe was reappointed and Mr. Miller was appointed as members of the Board of Zoning Appeals, for terms ending December 31, 2005, by the following vote:**

**FOR MESSRS. POE AND MILLER: Council Members Bestpitch, Carder, Cutler, Dowe, Harris, Wyatt and Mayor Smith-----7.**

**HEARING OF CITIZENS UPON PUBLIC MATTER: The Mayor advised that Council sets this time as a priority for citizens to be heard, and matters requiring referral to the City Manager will be referred immediately for any necessary and appropriate response, recommendation or report to Council.**

**CITY EMPLOYEES-COMPLAINTS: Mr. Robert Gravely, 729 Loudon Avenue, N. W., addressed Council with regard to insufficient wages for City employees, lack of progress by the City of Roanoke, misappropriation of City funds, and the City's lack of concern for its disadvantaged citizens.**

At 8:05 p.m., the Mayor declared the meeting in recess until Wednesday, December 18, 2002, at 2:00 p.m., at the Hotel Roanoke and Conference Center, Appalachian Room, 110 Shenandoah Avenue, N. W., for the City Council's Planning Retreat.

The City Council meeting reconvened on Wednesday, December 18, 2002, at 2:00 p.m., in the Appalachian Room, The Hotel Roanoke and Conference Center, 110 Shenandoah Avenue, N. W., for a continuation of the Council's Planning Retreat which was held on Thursday, October 17, 2002.

**PRESENT:** Council Members William D. Bestpitch, William H. Carder, M. Rupert Cutler, Alfred T. Dowe, Jr., C. Nelson Harris, Linda F. Wyatt and Mayor Ralph K. Smith-----7.

**ABSENT:** None-----0.

**OFFICERS PRESENT:** Darlene L. Burcham, City Manager; William M. Hackworth, City Attorney; Jesse A. Hall, Director of Finance; and Mary F. Parker, City Clerk.

**OTHERS PRESENT:** Rolanda B. Russell, Assistant City Manager for Community Development; George C. Snead, Jr., Assistant City Manager for Community Development; and Lyle Sumek, representing Lyle Sumek Associates, Inc., facilitator.

Mr. Sumek advised that the retreat was a follow up to a previous Council retreat which was held on October 17, 2002, to review goals and objectives that were identified by the Council.

The following summary of the October 17, 2002, meeting was presented:

**Major Achievements Include:**

**Comprehensive Plan - Adoption**

**City's Response - Water Crisis**

**Southeast by Design**

**Stadium/Amphitheater Project**

**Redirecting CDBG Funding - Neighborhood Impact**

**Budget - Process and Document**

**Riverside Development**

**Air Service Strategy**

**Civic Center Expansion**

**Fire-EMS**

**Greenway and Trail System**

**First Floor - Improvements**

**Environmental Action**

**Support for Special Events**

**Housing Developments - Opportunities for More Housing  
and Choices**

**Mr. Sumek reviewed impacts on the City of Roanoke; i.e.:**

**Builds Community Pride, Confidence in Roanoke's Future, Growing  
Positive Reputation**

**Focus on the Future - Achieve Goals, Completing Projects**

**Emphasis - Sustainability - Long-Term Perspective, Best for Roanoke's  
Future**

**Progressive - Creative Solutions to Problems and Issues, to be More  
Responsive to Citizens**

**Public-Private-Teamwork - Partnering on Major Projects, Maximizing  
the Community's Resources**

**More Attractive City - Cleaned Up Neighborhoods and Buildings**

**Growing Economy and Revenues - New Businesses, Growing Businesses**

**More Livable City - In Creating Housing Opportunities, More Amenities Valued by Citizens**

**Better Environmental Stewardship - Green and Clean City; Protection of Natural Resources, Cleaner and More Usable River**

**Foundation for Events - A Festival City - "A Cool Factor"**

**Enhances Tourism Opportunities - Dollars to Roanoke, Customers to Roanoke**

**Want to Live and Visit Roanoke**

**Mr. Sumek reviewed the following items listed by the Mayor and Members of Council in looking to Roanoke's future:**

**Vibrant Town - Exciting for Young Persons**

**Diversity**

**National Tourist Attraction**

**Connectivity with College**

**Consider Roanoke as a Place to Live**

**Riverside Centre**

**Improved Housing - No Substandard Housing**

**24/7 Downtown**



**Greenway**

**Healthy Arts, Culture, Museum**

**First Rate Schools**

**Mobility to Outside World**

**Water Resources**

**Live for All**

**No. 1 Livable**

**Vibrant - Neighborhoods**

**Downtown**

**Major Festival**

**Regional Cooperation**

**Destination Opportunities**

**Business Center**

**Value**

**Entertainment Center for Region**

**Capital of Western Virginia**

**Mr. Sumek advised that the major challenges listed by the Mayor and Members of Council are:**

**Economic Development - Lack**

**State Budget/Dillon Rule**

**Comprehensive Plan - Implementation Independent Cities**

**No Regionalization**

**Politics vs. Governance**

**Correcting Misinformation**

**Overcoming “Roanoke Not Ready for It” - Resistance to Change**

**Financial Creativity**

**Patience**

**Fear**

**Competent Council**

**Disadvantaged Neighborhoods**

**Air Quality Deterioration**

**Resistance by Developers**

**Go Back to 1920's**

**Balance in Community**

**Citizens - Ambassador for Community**

**Transportation Link**

**Connections with University**

**Regional Competitiveness**

**Internal Branding - City of Roanoke**

**Mr. Sumek reviewed the following opportunities on the horizon from the perspective of the Mayor and Members of Council:**

**Comprehensive Plan - Implementation Actions**

**Space for Upper Income Housing**

**Downtown Investment**

**Water Management - Regional Cooperation**

**Village Centers**

**Better Use of Parking Lots - Building Safe, Clean Place to Live**

**City as Region Leader**

**Riverside Development - Retail Mix; Incorporating River, Effective Use of Riverfront**

**Attractions - Major Sporting Events**

**Attractions - Events, Festivals**

**Air Service and Passenger Rail Service**

**Downtown - Trolley System**

**Regional Economic**

**Mr. Sumek reviewed the following principles to guide Roanoke's future - Roanoke 2012 - Its Vision:**

**Recognized as the Capital of Western Virginia - Economic, Government, Service, Culture**

**Strong Neighborhoods - Quality City Infrastructure, Livable Homes**

**Recognized for Educational Excellence - First Rate Schools, Preschools to Universities**

**City Connectivity with Universities and Colleges**

**Riverfront Developed as an Exciting, Mixed Use Focal Point - To Live, To Work, To Play**

**Protection of Roanoke's Natural Beauty and Resources**

**Reuse and Redevelopment of Land for Better Uses**

**Businesses and Individuals Investing in Roanoke, in Downtown**

**Entertainment Destination Point - Major Events, Sports and Festivals**

**Young Adults Choose to Live in Roanoke - Reputation as an Exciting Place to Live**

**Ease in Travel To and From Roanoke - Air, Rail, Highway**

**Quality Water Supply - Adequate, Affordable Costs Meeting Community Needs**

**Strong Community Pride in Roanoke**

**Financially Sustainable City Government with Cost-Effective Service Delivery**

**Mr. Sumek advised that the majority of the remainder of the retreat would center around a discussion regarding the four major goals identified by the Mayor and Members of Council:**

**Healthy Local Economy**

**Strong Neighborhoods**

**Vibrant Greater Downtown**

**Quality Services - Responsive, Cost Effective**

**GOAL NO. 1 - HEALTHY LOCAL ECONOMY:**

**Objectives include:**

**Promote Development of Upper End Housing Opportunities**

**Partner with Other Localities to Attract Businesses to the Roanoke Valley**

**Actively Promote and Market “Roanoke” - Our Brand**

**Support Retention and Expansion of Local Businesses and Increase Participation by All Businesses**

**Strengthen the Roanoke Valley Link to Other Metropolitan Areas Via Air Service, Rail Service and Interstate Highways**

**Diverse Local Economy - Medical, Government, Tourism, Small Businesses**

**Place for Businesses to Start and Grow**

**Development of a Quality Workforce Linked to Job Opportunities**

**Raise Per Capita Income at Level to Support Families**

**Wastewater, Water Capacity to Support Businesses, Including Water Reuse**

**Expanded Outdoor Activities in the Natural Area**

**More Unique, Distinctive Shopping Opportunities Attracting Shoppers and Producing Sales Tax**

**Mr. Sumek requested that Council Members, individually, rank the top six of the above listed objectives; whereupon, the following were submitted:**

**Promote Development of Upper End Housing Opportunities**

**Actively Promote and Market “Roanoke” - Our Brand**

**Support the Retention and Expansion of Local Businesses and Increase Participation by All Businesses**

**Diverse Local Economy - Medical, Government, Tourism, Small Businesses**

**Development of a Quality Workforce Linked to Job Opportunities**

**More Unique, Distinctive Shopping Opportunities Attracting Shoppers and Producing Sales Tax**

**Mr. Sumek reviewed the following challenges and opportunities for a Healthy Local Economy:**

**Strong Link to Virginia Tech**

**Non-College Degreed Jobs**

**Vocational Training - School System**

**Keep College Graduates in Roanoke**

**Tourism Promotion**

**Employees Prepared for Business Opportunities**

**Attracting Distinctive High-End Shopping Opportunities**

**Mr. Sumek reviewed the following actions listed by Council for 2002-2003 to promote the goal of a Healthy Local Economy:**

**Economic Development - Game Plan (Link to Regional Alliance)**

**Air Service - Expansion**

**Civic Center - Expansion**

**Stadium-Amphitheater Project**

**Marketing and Branding Program - Region (Internal/External)**

**High Schools - Direction**

**Rail Service**

**I-73 Direction**

**I-81/I-S81**

**Riverside Development**

**Partnering With Developers for Quality Projects:**

**Develop action plan to change mind set**

**Strengthen relationships with local developers/realtors including their understanding of the City's design standards**

**Better understanding of what the design standards are and how they can be utilized by the community**

**Evaluate incentives for developers - attract new developers and local developers adherence**

**Ensure adherence to development standards and design standards approved by Council**

**Upscale Retail Attraction Project**

**Mr. Sumek requested that Council Members rank their top four choices from the above listed actions to be accomplished during the next year; whereupon, the following received the highest ranking:**

**Economic Development - Game Plan (Link to Regional Alliance)**

**Air Service - Expansion**

**Stadium/Amphitheater Project**

**Marketing/Branding Program - Region - Internal/External**

**GOAL NO. 2 – STRONG NEIGHBORHOODS:**

**Objectives include:**

**Improving Property Maintenance through Prevention and Enforcement - Including Removal of Blighted/Worn-out Structures**

**Involving Citizens as Responsible Partners in Enhancing Quality of Neighborhoods and Addressing Neighborhood Problems**

**Supporting Homeownership and Well-Maintained, Safe Homes - Range of Homes Available at Affordable Prices**

**Developing and Using Realistic, Usable Neighborhood Plans that Link to Comprehensive Plan and Guides the Future of the Neighborhood**

**Protecting the Integrity of the Neighborhood Through Design/Development Standards, Standards for Infill**

**Preserving Roanoke's Community Heritage – Its Architecture, Neighborhoods, and Housing Options**

**Significant Improvement in Specific Targeted Neighborhoods**

**Linking Neighborhoods to Amenities**

**Pedestrian-Friendly Street Designs and Neighborhoods**

**Diverse Incomes Living in Neighborhoods**

**Maintaining/Improving City Infrastructure - Streets, Streetscapes**

**Mr. Sumek requested that Council Members individually rank the top six most important objectives over the next five years; whereupon, the following received the highest ranking:**

**Improving Property Maintenance through Prevention and Enforcement - Including Removal of Blighted/Worn-out Structures**

**Involving Citizens as Responsible Partners in Enhancing Quality of Neighborhoods and Addressing Neighborhood Problems**

**Developing and Using Realistic, Usable Neighborhood Plans that Link to Comprehensive Plan and Guides the Future of the Neighborhood**

**Protecting the Integrity of the Neighborhood through Design/Development Standards, Standards for Infill**



**Significant Improvement in Specific Targeted Neighborhoods**

**Maintaining/Improving City Infrastructure - Streets, Streetscapes**

**Mr. Sumek advised that challenges and opportunities include:**

**Responsibility of City - Abandoned Homes**

**Implementation of Comprehensive Plan**

**Infill and Neighborhood Integrity**

**Diversity of Income Levels**

**Variety of Housing Choices**

**Downtown Living Opportunities**

**Focusing Dollars for Maximum Impact**

**Pedestrian Friendly - Applications to Specific Neighborhoods and Projects**

**Maintaining City Infrastructure**

**Mr. Sumek advised that actions in regard to Strong Neighborhoods include the following:**

**Zoning Ordinance**

**Neighborhood Design Ordinance - Decision Implementation**

**Williamson Road - Direction**

**Jamison Corridor Direction**

**Streets (Neighborhood) - Direction and Funding**

**Abandoned Homes - Policy, Direction**

**Upper Income Housing - New or Upgrade**

**Incentives for Housing**

**Neighborhood Amenity Strategy**

**Strengthening Neighborhood Associations and Making Them More Effective**

**Mr. Sumek requested that Council Members individually rank the top five choices of the above listed actions; whereupon, the following received the highest ranking:**

**Zoning Ordinance**

**Upper Income Housing/New or Upgrade**

**Incentives for Housing**

**Neighborhood Amenity Strategy**

**Strengthening Neighborhood Associations and Making Them More Effective**

**GOAL NO. 3 - VIBRANT GREATER DOWNTOWN:**

**Objectives include:**

**Increasing Residential Opportunities in the Downtown Area, Including Attracting Support Business - Supermarket, Drugstore, Other Retail**

**Expanding Downtown Revitalization into Areas Surrounding Neighborhoods**

**Supporting Major Projects - Education Center, Riverside Centre – Job Opportunities, Building/Infrastructure Development**

**Enhancing Downtown Aesthetics and Cleanliness - Greenspaces, Trees, Streets and Streetscapes**

**Protecting Quality of Downtown Development Through Zoning, Development Standards, Quality Infrastructure**

**More Adequate, Accessible Parking to Support Downtown Revitalization**

**Developing Reputation as a Center for Culture and Arts, Entertainment**

**Expanding Entertainment Opportunities**

**Developing Connecting Districts - Market, Financial, Rail**

**Alive 24/7**

**Maintaining Integrity for Downtown**

**Determining Best Land Use in Downtown**

**Becoming Destination Point - People Coming to and Attracted to Downtown**

**Mr. Sumek requested that Council Members individually rank the top six of the above listed objectives; whereupon, the following received the highest ranking:**

**Increasing Residential Opportunities in Downtown Area, Including Attracting Support Businesses – Supermarket, Drugstore, Other Retail**

**Supporting Major Projects - Education Center, Riverside Center – Job Opportunities, Building Infrastructure Development**

**Protecting Quality of Downtown Development Through Zoning, Development Standards, Quality Infrastructure**

**Developing Reputation as Center for Culture and Arts, Entertainment**

**Expanding Entertainment Opportunities**

**Becoming Destination Point – People Coming to and Attracted to Downtown**

**Mr. Sumek reviewed the following challenges and opportunities for a vibrant and greater downtown:**

**Residents Image - Boundary of Downtown**

**Connecting District**

**Transit Services Within Downtown**

**Living in Downtown**

**Parking**

**Linking River, Central Business District and Adjacent Neighborhoods**

**Best Land Use - Decision**

**Mr. Sumek reviewed the following actions for a Vibrant Greater Downtown:**

**Civic Center Project**

**Stadium Project**

**Artspace Direction**

**E-Town**

**Trolley System**

**Stormwater Management**

**Wastewater Treatment**

**Roanoke River Strategy**

**Greenway - Linear Park Development**

**Downtown Residential Strategy (Second Level and Up)**

**A Master Plan for Downtown Including Amenities and Residential Opportunities**

Mr. Sumek requested that Council Members individually rank the top four of the above listed actions; whereupon, the following received the highest ranking:

**E-Town**

**Downtown Residential Strategy (Second Level and Up)**

**Master Plan for Downtown Including Amenities for Residential Opportunities**

The Mayor left the meeting at 5:00 p.m.

**GOAL NO. 4 - QUALITY SERVICES: RESPONSIVE, COST EFFECTIVE:**

Mr. Sumek reviewed the following objectives:

**Investing and Using Technology in Service Delivery and Management**

**Evaluating City Performance Through City Surveys and Benchmarks**

**Developing and Retaining Productive, Motivated Workforce with Well-Trained, Competent and Diverse Employees**

**Process of Continuous Improvement Empowering Employees to Offer Ideas and to Try a New Approach**

**Quality City Facilities and Buildings**

**Streamlining Service Delivery**

**Focusing on Core Competency of City**

**City Providing Valued Services, Responsive Delivery**

**Use of Green Technology and Resources by City Government**

**Customer Service Valued and Demonstrated by City Employees**

**Greater Accountability for Services, Results**

**Mr. Sumek requested that Council Members individually rank the top five of the above listed objectives; whereupon, the following received the highest ranking:**

**Investing and Using Technology in Service Delivery and Management**

**Developing and Retaining Productive, Motivated Workforce with Well-Trained, Competent and Diverse Employees**

**Process of Continuous Improvement Empowering Employees to Offer Ideas and to Try a New Approach**

**Quality City Facilities and Buildings**

**Customer Service Valued and Demonstrated by City Employees**

**Mr. Sumek reviewed the following challenges and opportunities:**

**Public Education - Service, Trade Off**

**Contracting Services**

**New Markets and “Business” Opportunities**

**Use of Technology**

**Continuously Improving Service Delivery**

**Defining “Core Competency” of City of Roanoke**

**Customer Service**

**Funding City Service, Service Levels**

**State Actions**

**Mr. Sumek reviewed the following actions for 2002-03 as expressed by the Members of Council:**

**State Lobbying - Revenues, Finances**

**Budget Strategy - Next Year**

**Streamlining City Government - Evaluation**

**Services - Evaluation and Business Plan**

**Citizen Involvement Strategy**

**Recycling - Evaluation**

**State Lobbying - Revenues, Finances**

**Mr. Sumek requested that Council Members individually rank the top four actions; whereupon, the following received the highest ranking:**

**State Lobbying - Revenues, Finances**

**Services - Evaluation and Business Plan**

**Water Structure, Infrastructure and Finance Strategy**

**Employee Attitude Evaluation/Actions**

**At 5:15 p.m., the meeting was declared in recess for dinner.**

**The meeting reconvened at 6:55 p.m., in the Appalachian Room of the Hotel Roanoke and Conference Center.**

**The following items were identified as the Policy Agenda for 2003:**

**Branding and Marketing Program**

**Riverside Development Action**

**Quality Development Strategy - Residential/Retail**

**Upscale Retail/Attraction Strategy**

**Incentives for Housing**

**Neighborhood Amenities - Strategy**

**Art Space Direction**

**E-Town**

**State Lobby - Revenue - Finances**

**Water Policy Directions**

**At 8:00 p.m., Council Member Dowe left the meeting.**

**From the above listed policy items, Mr. Sumek requested that Council Members individually rate the top five; whereupon, the following received the highest ranking:**

**Water Policy Directions**

**Incentives for Housing**

**Quality Development Strategy - Residential/Retail**

**Branding and Marketing Program**

**State Lobby - Revenue - Finances**

**Mr. Sumek advised that the Management Agenda for 2003 includes the following:**

**Zoning Ordinance**

**Upper Income Housing Strategy**

**Strengthening Neighborhood Associations and Action Plan**

**Downtown Residential (Upper Floors/Strategy/Action)**



**Master Plan Having Downtown Amenities/Residential Opportunities**

**Service Evaluation, Business Plan**

**Employee Attitude**

**Mr. Sumek requested that Council Members individually rank the top four of the above listed management items; whereupon, the following received the highest ranking:**

**Zoning Ordinance**

**Upper Income Housing Strategy**

**Strengthening Neighborhood Associations and Action Plan**

**Master Plan Having Downtown Amenities/Residential Opportunities**

**There was discussion with regard to streamlining the agenda, more Council briefings, strategic planning, etc.; whereupon, it was the consensus of Council that Council meetings will convene on the first Monday of each month at 9:00 a.m., for briefings, closed sessions, strategic planning, etc., and the regular meeting of Council will convene at 2:00 p.m., with the understanding that Council meetings will conclude at approximately 5:00 p.m.**

**Other suggestions discussed were holding a planning retreat every two to three months at a location away from the Municipal Building complex, holding a third Council meeting each month to address public hearings only; orientation for new Council Members; and pay increases for Council Members; whereupon, it was the consensus of Council that Council raises will be routinely included as a part of the fiscal year budget process.**

**Mr. Sumek advised that a written summary of the meeting will be provided to the City Manager.**

**At 8:30 p.m., the meeting was declared in recess until Monday, January 6, 2003, at 9:00 a.m., in the City Council Chamber.**

**A P P R O V E D**

**ATTEST:**

**Mary F. Parker  
City Clerk**

**Ralph K. Smith  
Mayor**

-----